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DONNA CURLING, ET AL.,)
)
Plaintiffs,)
) Civil Action
vs.)
) No. 1:17-CV-2989-AT
BRAD RAFFENSPERGER, ET AL.,)
)
Defendants.)

Robin K. Ferrill, CCR-B-1936, RPR

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VIRTUAL VIDEOTAPED 30(b)(6) DEPOSITION OF
 FULTON COUNTY BOARD OF REGISTRATION AND ELECTIONS
 THROUGH
 DERRICK GILSTRAP

Friday, January 21, 2022

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DESCRIPTION OF EXHIBITS

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Exhibit 4	Document entitled, Fulton County Recount of the Presidential Contest, Bates stamped State-Defendants-00113529 - 113530	55
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5	from Cummings, 10/22/2020, Bates	
6	stamped State-Defendants-00169113	
7	- 00169114	

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11 (Original exhibits attached to the Original

12 transcript.)

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1 VIRTUAL DEPOSITION OF

2 DERRICK GILSTRAP

3 Friday, January 21, 2022

4 THE VIDEOGRAPHER: Today's date is
5 January 21st, 2022, and the time is 11:40 a.m.
6 This will be the 30(b)(6) videotaped deposition
7 of Fulton County Board of Registration &
8 Elections given by Derrick Gilstrap. Will
9 counsel please introduce themselves and any
10 objection to the witness being sworn in
11 remotely.

12 MR. SPARKS: Good morning. This is Adam
13 Sparks, Krevolin & Horst, for the Curling
14 Plaintiffs. And with me in the room is Halsey
15 Knapp, also with Krevolin & Horst for Curling
16 Plaintiffs.

17 MS. RINGER: Good morning. Cheryl Ringer
18 on behalf of Fulton County Board of Registration
19 & Elections and Fulton County defendants with
20 the office of the Fulton County attorney.

21 MS. LaROSS: Good morning. My name is
22 Diane LaRoss and I represent the state
23 defendants.

24 THE VIDEOGRAPHER: Would the court reporter
25 please swear in the witness.

1 DERRICK GILSTRAP,

2 called as a witness, having been duly sworn
3 by a Notary Public, was examined and testified as
4 follows:

5 EXAMINATION

6 BY MR. SPARKS:

7 Q. Good morning, Mr. Gilstrap. My name is
8 Adam Sparks. I'm an attorney for the Curling
9 Plaintiffs in this matter. My first question is a
10 very important one: Is that a World Series Champion
11 Atlanta Braves banner I see behind you in your
12 office, presumably?

13 A. Yes, it is.

14 Q. I'm very glad to see it. Thank you for
15 brightening my day just a little bit.

16 Now, Mr. Gilstrap, have you been deposed
17 before?

18 A. No, this is my first time.

19 Q. Okay.

20 A. My first deposition.

21 Q. I'm sorry. Go ahead.

22 A. I have been to depositions but this is my
23 first time being deposed.

24 Q. Okay. Well, welcome to the party. I'll go
25 over a few sort of rules of the road to help us speak

1 with each other a little bit more clearly today. So
2 a few requests. As you might have just seen,
3 particularly with these remote depositions, there's
4 sometimes a chance that we will talk over one
5 another. So for the sake of the court reporter and
6 the record and each other, I'm going to ask that we
7 try not to do so and that you let me finish a
8 question before responding. By the same token, I
9 will try to let you finish responding before I follow
10 up with anything else. Is that okay?

11 A. That's okay.

12 Q. Okay. Sure. And it sounds like I can hear
13 you pretty well, but do be sure to speak clearly into
14 the microphone when responding. Is that all right?

15 A. That's okay. That's fine.

16 Q. And for the sake of the record and the
17 court reporter, we are going to need your responses
18 to be verbal. Shaking your head is fine, I can see
19 you, but it's not reflected on the record. So please
20 speak when responding. Is that all right?

21 A. That's all right. Okay.

22 Q. It's fine to take a break when you need
23 one. I expect we will have at least one while we are
24 talking here today, but I just ask that you not ask
25 for a break or take a break in the middle of a

1 question or while a question is still pending. Is
2 that okay?

3 A. That's okay.

4 Q. Okay. And I want my questions to be clear.
5 I have been told from time to time that I speak too
6 quickly or I'm also capable of asking a question that
7 doesn't make a whole lot of sense. So you should let
8 me know if you don't understand my question.
9 Conversely, if you answer a question, I'm going to
10 assume that you understood it as I asked it. Is that
11 all right?

12 A. That's all right.

13 Q. Now, is there anyone else in the room
14 physically with you right now?

15 A. No.

16 Q. Do you have any e-mail, social media or
17 messaging or communication applications open right
18 now?

19 A. No, only thing I have open is the -- is the
20 shared exhibits. Exhibit Share.

21 Q. Okay. I appreciate that. And I presume
22 you have a phone of some sort on you. I'm sure you
23 may not be able to stop calls coming in from a
24 landline but with regards to your cell phone or any
25 applications that might be open on that, if you could

1 put it away while we're talking, I would appreciate
2 it.

3 A. Okay. I think I can put my phone on
4 vibrate.

5 Q. Sure. I'm actually going to make sure I'm
6 on do not disturb as well. Just tell me when you are
7 ready.

8 A. I'm ready. Can I lock my office door just
9 so I won't be disturbed?

10 Q. I think that's up to you.

11 A. Yes, let me do that.

12 Q. Probably for the best. Sure. Okay. Are
13 you ready?

14 A. I am ready.

15 Q. Okay. If you have the Exhibit Share marked
16 exhibits folder in front of you, you should find an
17 exhibit that's been marked as Exhibit 1. I'm also
18 going to share my screen so you can see it up here.

19 A. Okay.

20 Q. So this has been previously marked as
21 Exhibit 1. Can you see that it's titled, Curling
22 Plaintiffs' Third Amended Notice of Deposition of
23 Fulton County Defendants?

24 A. Yes, I can.

25 Q. Have you seen this document before?

1 A. Yes, I have.

2 Q. So this deposition is a little different
3 from depositions where the witness is testifying to
4 things purely in their personal knowledge, personal
5 capacity. Do you understand that you have been
6 designated to testify on behalf of Fulton County
7 Board of Registration & Elections on certain topics
8 included in this Exhibit 1?

9 A. Yes.

10 Q. And so you further understand that you and
11 your attorneys had an obligation to make sure you
12 were prepared to testify on certain topics today. Is
13 that right?

14 A. Yes, that is correct.

15 Q. Okay. Can you tell me which topics on
16 which you have been designated to testify for the
17 Fulton County Board of Registration & Elections?

18 A. I mean, the topics are any topics related
19 to equipment, the server.

20 Q. We are going to go through them so you will
21 have a chance to refresh your recollection, but I
22 didn't know if you knew from memory or if you wanted
23 to review this document to confirm which topics on
24 which you have been designated.

25 A. No, I don't know them from memory in

1 regards to the document.

2 Q. Okay. Let me represent to you that my
3 understanding, from prior conversations with Ms.
4 Ringer and Mr. Lowman is that you have been
5 designated to testify on topics one, two, three,
6 four, six, seven, eight, nine, 11, 12, 13, 14, 15,
7 and 17. Now, this isn't a memory test, so I'm not
8 going to ask you to repeat that back to me, but I
9 will be going through each of those topics. And if
10 you are confused or you think you were not designated
11 to talk about those things, then we should clear that
12 up at the time before getting into it. Does that
13 sound like a fine way to proceed to you?

14 A. Yes.

15 MR. SPARKS: Counsel, any objection to
16 going through in that way?

17 MS. RINGER: No objection.

18 Q. (By Mr. Sparks) Mr. Gilstrap, what's your
19 understanding of the claims and defenses that are
20 made in this case?

21 A. Can you repeat that for me?

22 Q. Yes. And I will make it a slightly simpler
23 question. What do you understand this case to be
24 about?

25 A. I'm understanding to be -- the case to be

1 about the integrity of the voting system. And also,
2 voting in regard to the system in regards to the
3 November 2020 election.

4 Q. And I just want to make sure you understand
5 that I'm an attorney representing some of the
6 plaintiffs, often called the Curling Plaintiffs that
7 have brought constitutional challenges to certain
8 components of Georgia's election system. Do you
9 understand that?

10 A. Yes.

11 Q. So let's start at the beginning, a very
12 fine place to start.

13 I'm going to scroll down, and I'm still
14 sharing my screen because I want to make sure that
15 you can read at least the first few topics along with
16 me. And I can pull this back up at any time if your
17 Exhibit Share is not working as well as you would
18 like. So concerning topic Number 1: Any efforts
19 made to, quote, "air gap," unquote, any components of
20 Georgia's current election system as used in Fulton
21 County, and the success or failure of any such
22 efforts. Did I read that correctly?

23 A. Yes, you did.

24 Q. I'm going to refer to that as topic 1. Are
25 you designated to testify on behalf of Fulton County

1 Board of Registration & Elections concerning topic 1?

2 A. Yes.

3 Q. I may refer to the Fulton County Board of
4 Registration & Elections as Fulton County. I know
5 that it's not the whole county. I trust that you
6 know it's not the whole county, but to save the court
7 reporter's fingers and -- yeah, for that reason
8 alone, I may refer to it as Fulton County. Is that
9 okay with you?

10 A. Yes, it is.

11 Q. In preparing to testify about topic 1
12 today, tell me what research you have done.

13 A. None.

14 Q. Whom did you talk to about topic 1 to
15 prepare to testify about it today?

16 A. Only the county attorneys and the witnesses
17 that are testifying today.

18 Q. By witnesses, do you mean Mr. Olomo and
19 Ms. Williams?

20 A. I mean -- yes.

21 Q. Did you speak to anyone else?

22 A. No.

23 Q. And when you spoke with Mr. Olomo, was the
24 county attorney present?

25 A. Yes.

1 Q. And when you spoke with Ms. Williams, was
2 the county attorney present?

3 A. Yes.

4 Q. In that case, I don't want to know the
5 particulars of what you talked about. But broadly
6 speaking, just to confirm, did you speak about topic
7 1 in preparing to testify today?

8 A. Yes.

9 Q. Did you review any documents preparing to
10 testify about topic 1 today?

11 A. No documents.

12 Q. Are you relying on any other sources for
13 your testimony about topic 1 today?

14 A. No other sources.

15 Q. Do you have background experience regarding
16 efforts made to air gap any components of Georgia's
17 current election system as used in Fulton County?

18 A. No.

19 Q. Okay. So what do you know about this
20 topic?

21 A. According to the question, I have no
22 knowledge of that as far as air gap. I just know
23 what air gap is, but other than that.

24 Q. Okay. Let's start there. What does air
25 gap mean?

1 A. Air gap is a computer or server that's not
2 connected to the internet or any system that's
3 connected to the internet.

4 Q. Do you mean not connected at the time it's
5 being used?

6 A. I mean, not -- it could -- it could be --
7 from as much understanding as I know, it could be --
8 it could be being used or not being used.

9 Q. Okay. So when you say "air gap," you mean
10 a computer or other piece of electronic equipment
11 that is not connected to the internet, whether it's
12 in use or not?

13 A. Yes.

14 Q. Is that what you mean?

15 A. Yes.

16 Q. Just so I know, if there's a piece of
17 equipment, I'll just say a computer, for an example,
18 that was at one time connected to the internet and is
19 later disconnected from it and maintained in a
20 disconnected state, would that computer be air gapped
21 or not?

22 A. If it's maintained in a disconnected state,
23 yes.

24 Q. So as long as it's maintained in a
25 disconnected state, you are contending that the

1 computer or other device, what have you, is air
2 gapped. Is that right?

3 A. Correct.

4 Q. What components of Georgia's current
5 election system as used in Fulton County are air
6 gapped as a matter of policy?

7 A. According to my understanding of air
8 gapped, I'm saying all components are.

9 Q. Okay. As a matter of practice, is it any
10 different? You can have a policy to have something
11 one way and then in practice, maybe corners are cut
12 or things are a little different to make things
13 easier. So I'm asking -- I understand you to say as
14 a matter of policy, all components of Georgia's
15 current election system as used in Fulton County are
16 air gapped. I'm asking if that's any different in
17 practice?

18 A. No different in practice.

19 Q. Are there certain efforts that Fulton
20 County has to make to ensure that those components
21 remain air gapped?

22 A. No, not to my knowledge.

23 Q. Okay. Where does the voting equipment come
24 from?

25 A. The voting equipment comes from Dominion

1 Voting Systems.

2 Q. I don't want to interrupt you. You looked
3 like you had something else to say. Were you done?

4 A. No, I was done. I was done.

5 Q. Okay. When you receive the equipment from
6 Dominion Voting Systems, is it air gapped already?

7 A. Yes, it is.

8 Q. How do you know?

9 A. I mean, it's not connected to any internet
10 access.

11 Q. Right. How do you know that? Is it
12 because Dominion tells you?

13 A. No. It's not connected to our internet
14 access.

15 Q. And to your knowledge, the equipment has
16 not been used elsewhere previously before Fulton
17 County receives it. Is that right?

18 A. To my knowledge, yes.

19 Q. Are there any other efforts that Fulton
20 County takes to make sure that the equipment remains
21 air gapped? I can give you an example if that's
22 helpful.

23 A. Yes, please.

24 Q. Sure. So I can imagine that Fulton County
25 might have a policy or practice of training its staff

1 that equipment received through Dominion Voting
2 Systems should never be connected to the internet.
3 I'm not saying there is or is not a policy. But
4 that's an example of an effort that Fulton County
5 might take. So with that as an example only, what
6 efforts, if any, does Fulton County take to ensure
7 that components of Georgia's current election system,
8 as used in Fulton County, remain air gapped?

9 A. I'm not -- it's not -- as what my
10 knowledge, I know it is, by a policy from the
11 Secretary of State, we know that we are not supposed
12 to connect it. But no efforts, of my knowledge, are
13 being used.

14 Q. So there's a policy from the Secretary of
15 State that Fulton County follows?

16 A. Yes.

17 Q. Does Fulton County have any of its own
18 policies on this point?

19 A. I don't know. Not to my knowledge.

20 Q. Are any of the components of Georgia's
21 current election system manufactured or configured in
22 such a way that they cannot connect to the internet?

23 A. No, not to my knowledge.

24 Q. Okay. So it's possible, for example, for a
25 Dominion ICX ballot-marking device to be connected to

1 the internet. Is that right?

2 A. Can you repeat that?

3 Q. Yes. I understood your last answer to be
4 that none of the components of Georgia's current
5 election system are manufactured and configured in
6 such a way to prevent them from being able to be
7 connected to the internet at all.

8 I cannot connect this pen to the internet.
9 It has no capacity. There is no technical way for me
10 to do so. Silly example, but it was right in front
11 of me. I understood your answer to be that the
12 components of Georgia's current election system are
13 not like that; that, in theory, one could connect
14 them to the internet, given sufficient authority,
15 access, time, resources, know-how, what have you.

16 MS. RINGER: Objection to the form of the
17 question.

18 MR. SPARKS: I don't think I have asked one
19 yet.

20 MS. RINGER: No. The characterization of
21 his testimony. I'm sorry.

22 MR. SPARKS: I see. Fair enough.

23 Q. (By Mr. Sparks) So what I'm asking is
24 whether it's possible for, for example, a Dominion
25 ICX ballot-marking device to be connected to the

1 internet. I'm not asking you whether they are or
2 they are not. I'm not asking you about policy. I'm
3 asking whether it's technically possible, if you
4 know. Do you know?

5 A. I don't -- I don't know because I follow
6 the policy. I have never looked to see if it was.

7 Q. When you say you follow the policy, again,
8 I just want to remind you, you are speaking for
9 Fulton County. So that's one reason I wanted to ask
10 if Fulton County had its own policy for maintaining
11 the air-gap state of these components. Does Fulton
12 County have such a policy?

13 A. I have -- I have no knowledge of it.

14 Q. Is Fulton County's policy to follow the
15 Secretary of State of Georgia's policy?

16 A. Yes, it is.

17 Q. Relatedly, Mr. Gilstrap, I'm scrolling down
18 on Exhibit 1 now. I wanted to direct your attention
19 to topic 3. Topic 3 reads, Any use of removable
20 media with Georgia's current Election System as used
21 in Fulton County, including any Communications with
22 counties and/or Dominion regarding the same. Did I
23 read that correctly?

24 A. Yes, you did.

25 Q. Have you been designated to testify on

1 topic 3 for Fulton County in this deposition?

2 A. Yes.

3 Q. So similar questions as topic 1. What
4 research have you done about topic 3 to prepare to
5 testify today?

6 A. No research.

7 Q. What documents did you review, if any?

8 A. No document.

9 Q. Did you talk with anyone about topic 3 to
10 prepare for this deposition?

11 A. Yes.

12 Q. Was it also Mr. Olomo, Ms. Williams and the
13 county attorney?

14 A. Yes.

15 Q. Did you speak with anyone else?

16 A. No.

17 Q. About how long did you speak with the
18 county attorney, Mr. Olomo and Ms. Williams?

19 A. One hour.

20 Q. Was that all in one session?

21 A. Yes.

22 Q. Were there any other sessions?

23 A. In regards to this topic?

24 Q. Yes. Thank you.

25 Were there any other sessions in regard to

1 this topic?

2 A. No.

3 Q. Were there any other sessions in regards to
4 testifying as a 30(b)(6) witness for Fulton County at
5 this deposition?

6 A. Yes.

7 Q. How many other sessions were there?

8 A. It was one other session.

9 Q. When was that?

10 A. That was -- the other session was last
11 Friday when I was alerted that I was testifying.

12 Q. You were alerted you were testifying last
13 Friday?

14 A. Yes.

15 Q. About how long did this session last Friday
16 last?

17 A. Not long. Not long. About 30 minutes.
18 Thirty minutes, 45 minutes.

19 Q. Who else participated in that session?
20 There's a better way to ask that. Who else did you
21 speak with during that session?

22 A. It was all the witnesses, witnesses that
23 are testifying as well as the county attorney.

24 Q. We are turning back to topic 3. Are you
25 relying on any other sources of information for your

1 testimony about topic 3 here today?

2 A. No.

3 Q. What can you tell me about the use of
4 removable media with Georgia's current election
5 system as used in Fulton County?

6 A. Removable -- media is used to -- as far
7 as -- it's used as far as to collect -- to collect
8 results for tabulation.

9 Q. I don't want to cut you off.

10 A. Yes. I'm -- I mean, it's -- it's basically
11 used as far as -- as far as collecting the results
12 and for tabulation.

13 Q. How is removable media used to collect
14 results?

15 A. Where removable -- the media is programmed
16 for a particular voting site. It's placed into our
17 ICX scanner and once someone votes, they print their
18 ballot and then they insert it into the scanner,
19 which immediately collects the results.

20 Q. Okay. So if I hear you correctly,
21 removable media is inserted into the precinct-based
22 scanner. It's programmed to the particular site that
23 precinct-based scanner is at, and it's used to
24 collect the results that are obtained by voters
25 scanning ballots generated by electronic BMDs into

1 the scanner?

2 A. Yes.

3 Q. What about for tabulation? What can you
4 tell me about the use of removable media regarding
5 tabulation?

6 A. The media is taken from the scanner and
7 it's inserted into a reader that reads it into the
8 server, which tabulates the results from each voting
9 site.

10 Q. I'm not quite following. I'm sorry.

11 A. Okay. Once the election day is over, we
12 remove the compact flash card, the removable media,
13 from the -- from the scanner at each polling site and
14 that memory card is inserted into our server to read
15 the results from that particular polling location or
16 precinct.

17 Q. How are the media, the removable media
18 transported from -- let me start that question over.
19 Forgive me.

20 During the 2020 election cycle, how were
21 the removable media from the various precincts or
22 polling places transported to wherever tabulation was
23 happening after the polls had closed on election day?

24 A. The removable -- the media was transported
25 by two polling officials from the polling site to our

1 check-in -- one of our check-in locations. From our
2 check-in location, it was then transported to our
3 elections preparation center in a locked bag whereby
4 it was locked at the check-in center and it could
5 only be opened when it got here. We had -- we had
6 the keys here at the -- at the nexus preparation
7 center where the server is, and we unlocked it when
8 it got here. But it was transported from the
9 check-in center by either a Fulton County sheriff or
10 Fulton County police to the nexus preparation center
11 where the server is. And we unlocked it here, and
12 then that's when we placed it -- placed it into the
13 reader to read it into the server.

14 Q. You said placed it into the reader into the
15 server?

16 A. Yes, the server -- you know how -- it
17 had -- where the server has a compact flash card
18 reader connected to it in order to read that
19 particular compact flash card.

20 Q. This process for using removable media
21 whether to collect results or for tabulation, is that
22 developed by Fulton County?

23 A. Yes.

24 Q. Does Fulton County consult with anyone else
25 on how those procedures are developed?

1 A. I do not -- I do not know.

2 Q. Has Fulton County discussed procedures for
3 using removable media with the Georgia current
4 election system with other county election directors
5 or boards?

6 A. I do not know. I do not know. I wouldn't
7 be one -- I wouldn't be the one that does that.

8 Q. Okay. I'm just looking at topic 3 where it
9 says, including any communications with counties
10 and/or Dominion regarding the same. But that's not
11 something about which you can testify today?

12 A. Yes.

13 Q. Okay. Does that hold true for any
14 communications with Dominion about the use of
15 removable media as well?

16 A. Yes.

17 Q. Sitting here today, do you have any idea
18 who would be able to testify about those subjects for
19 Fulton County?

20 A. No.

21 Q. Mr. Gilstrap, can removable media be
22 inserted into electronic ballot-marking devices?

23 A. No.

24 Q. You understand what I mean by --

25 A. Oh, yes, it can. Yes, it can.

1 Q. Okay.

2 A. I was -- yes. I was just thinking about
3 flash cards, but yes, removed. It can be inserted
4 into ballot-marking devices.

5 Q. That's all right. You said previously you
6 were thinking about flash cards, correct?

7 A. Yes.

8 Q. So can any other kind of removable media be
9 inserted into electronic ballot-marking devices?

10 A. Yes. A USB, USB -- a USB drive can be
11 inserted into the ballot-marking devices.

12 Q. A USB drive is sometimes globally called a
13 thumb drive, right?

14 A. Correct.

15 Q. Okay. So under what circumstances would
16 Fulton County allow a USB drive, a thumb drive to be
17 inserted into a BMD machine?

18 A. Once we receive the election project from
19 the center of election systems, we have to put that
20 project onto a USB drive or thumb drive in order to
21 program and place it into the ballot-marking device,
22 the BMD, in order to program that ballot-marking
23 device for the current elections.

24 Q. And how is that done?

25 A. That is done in our -- during our L&A

1 process, our logic and accuracy process, whereby
2 where we are doing a voting location, we insert the
3 thumb drive into the BMD to load the current election
4 onto each BMD.

5 Q. You said you received the election project
6 package from CES, did I hear you right?

7 A. Yes.

8 Q. Is CES the center for election systems?

9 A. Yes, it is.

10 Q. Is that currently part of the office of the
11 Georgia Secretary of State?

12 A. Yes, it is.

13 Q. Is Fulton County involved in how those
14 election project packages are generated and
15 distributed to Fulton County, among others?

16 A. We are -- we are involved in verifying that
17 the information is correct in regards to ballots.
18 That's it.

19 Q. You may have said this already, and I
20 apologize if I'm asking you to repeat yourself, but
21 regarding the election project packages being put
22 onto USB drives to program the BMDs during logic and
23 accuracy testing -- do I have that right so far?

24 A. Yes.

25 Q. -- I'm unclear on whether Fulton County is

1 receiving the election project packages in some other
2 way from CES and then placing them on USB drives
3 themselves or whether Fulton County is receiving USB
4 drives that already have the election project
5 packages in question loaded onto them. Is it one of
6 those two things or is it something else?

7 A. It's one of those two things. We --

8 Q. Which one?

9 A. We receive the -- we receive the removable
10 media and USB drive from -- from CES in a sealed
11 envelope.

12 Q. So CES puts the election project package or
13 packages -- I'm unclear if it's one or more. Is it
14 one or more? Per election?

15 A. It's according to how many -- how many --
16 how many election we are having, but usually, it's
17 just one.

18 Q. Okay. Thank you. So Fulton County
19 receives the election project package or packages on
20 one or more USB drives by receiving a sealed envelope
21 from the center for election systems. Do I have that
22 right?

23 A. Yes. Correct.

24 Q. Does it follow that Fulton County has no
25 role in determining where the USB drives come from or

1 otherwise procuring other removable media for use of
2 the ballot-marking devices?

3 A. To my knowledge. To my knowledge.

4 Q. Has Fulton County ever gone out and
5 purchased USB drives of its own to use with
6 ballot-marking devices?

7 A. No.

8 Q. What about for any other component of the
9 election system?

10 A. No.

11 Q. Does Fulton County -- I'm sorry, I --
12 Fulton County has not gone out and purchased
13 removable media of its own to use with Georgia's
14 election system. Is that right?

15 A. I mean, as far as we have purchased
16 additional flash cards, flash cards that -- that were
17 brand-new from Dominion to be used.

18 Q. Flash cards from Dominion to be used?

19 A. Yes. These flash cards that we use in
20 regards to programming the scanners and getting them
21 ready for an election.

22 Q. Okay. Any other purchases of removable
23 media from Dominion or otherwise that Fulton County
24 makes with regards to components of Georgia's current
25 election system?

1 A. No, not that -- not of my knowledge. The
2 only thing I can think of is that we are required to,
3 at the beginning of the election, send an image from
4 the server to the Secretary of State, and we have to
5 put that on a thumb drive.

6 Q. Tell me more about that, please.

7 A. Once we complete an election and certify
8 it, we are asked to provide them with a file of their
9 present election package, the total election package
10 file to the Secretary of State.

11 Q. Did any of those policies or practices
12 regarding removable media change with regard to the
13 audit of the 2020 Presidential election results?

14 A. I have no knowledge of it. No, not to my
15 knowledge.

16 Q. Thanks for bearing with me. I'm muddling
17 my way through the technology. Okay. I'm going to
18 share my screen with you again. I'm going back to
19 Exhibit 1, the Third Amended Notice of Deposition to
20 ask you about another topic. All right. If you are
21 relying on me, you can read that.

22 So topic 2 in this notice reads, "Any
23 connections, direct or internet -- excuse me --
24 direct or indirect interactions or other actual or
25 potential exchanges of software or data between

1 Georgia's current Election System as used in Fulton
2 County and any other computer system or device via
3 the internet, telephone lines, cable lines,
4 satellites or other third-party system network
5 equipment or devices.

6 Did I read that correctly with that one
7 hiccup?

8 A. Yes.

9 Q. Do you understand yourself to be designated
10 to testify about this topic 2 today?

11 A. Yes.

12 Q. Have you done any research about topic 2 to
13 prepare to testify today?

14 A. No.

15 Q. Did you review any documents to prepare to
16 testify about topic 2 today?

17 A. No.

18 Q. Did you speak with anyone to prepare to
19 testify about topic 2 today?

20 A. Yes.

21 Q. Who is that?

22 A. Mr. -- Mr. Olomo and Ms. Williams and the
23 county attorney.

24 Q. Did you speak with anyone else to prepare
25 to testify about topic 2?

1 A. No.

2 Q. Are you relying on any other sources for
3 your testimony about topic 2 today?

4 A. No.

5 Q. Okay. So Mr. Gilstrap, please tell me what
6 you know about connections, interactions, or other
7 exchanges of software or data between Georgia's
8 current election system as used in Fulton County and
9 any other computer systems or devices. And if you
10 would like to start at a high level, I would
11 understand.

12 A. I have no knowledge of any connections with
13 any other software in Georgia with the current
14 election system.

15 Q. Okay. Let me ask about a couple of
16 examples then, just to make sure. So we were talking
17 about the use of removable media to tabulate election
18 results a little earlier, right?

19 A. Yes.

20 Q. Okay. Does Fulton County send those
21 results to the Georgia Secretary of State's Office or
22 any other state agency?

23 A. Yes, they do.

24 Q. Okay. Is that the Georgia Secretary of
25 State's Office? Do I have that right?

1 A. Yes, we send it to the Georgia Secretary of
2 State's Office.

3 Q. Is that to CES within that office or just
4 to the Secretary's Office generally or to some other
5 subagency?

6 A. I'm not sure. I couldn't answer that
7 question. I just know that we send them, Georgia
8 Secretary of State's Office received them. I'm not
9 sure who's -- who's over that.

10 Q. That's fine. What can you tell me about
11 how those results are transferred from Fulton County
12 to the office of the Georgia Secretary of State?

13 A. Okay. Those results are transferred by
14 removable media. That is taken from our server and
15 it's placed into a designated computer that has the
16 election night reporting software on that computer.
17 Once we place it into that computer, we do log -- we
18 do connect with the Secretary of State through the
19 election night reporting software. And it is
20 transferred to them. It is transferred via internet.

21 Q. Okay. So just to break that down, the
22 results are tabulated on a server in possession of
23 Fulton County, yes?

24 A. Yes.

25 Q. Okay. And then there's another computer

1 with election night reporting software on it, also in
2 the possession of Fulton County?

3 A. Yes.

4 Q. Okay. How do the results get from the
5 tabulation server to the ENR computer?

6 A. It is given to me by Mr. Olomo and I take
7 it and place it into the designated computer.

8 Q. And what is "it"?

9 A. The -- it's a USB drive. A thumb drive.

10 Q. So the USB drive is inserted into the
11 tabulation server?

12 A. Yes, it is inserted into the tabulation
13 server. Once it's inserted into the tabulation
14 server, the file, the election night reporting file
15 is copied onto that USB drive. And then once it's
16 copied, it's taken from -- from the server to the
17 designated computer whereby we log in to election
18 night reporting and upload the results from that.

19 Q. Thank you. That USB drive that's inserted
20 into the tabulation server, does that come from the
21 Georgia Secretary of State?

22 A. Yes, it does. It came -- it came when we
23 received the equipment.

24 Q. But is it used for any other purpose?

25 A. No, it's not used for any other purpose.

1 Q. Okay. And what happens to it after it's
2 inserted into the ENR computer again?

3 A. Once it's -- once we -- once we transfer
4 the results to the Secretary of State, that -- all
5 files on that USB are deleted and then that thumb
6 drive is reformatted to be used again.

7 Q. So after the results are transferred out
8 from the ENR computer to the Secretary of State, the
9 USB drive is reformatted so it can be used again.
10 Did I hear that right?

11 A. Not for that election.

12 Q. Okay.

13 A. We would never use it for that election,
14 but as far as moving forward.

15 Q. Okay. So Fulton County holds onto the
16 reformatted thumb drive or is it sent somewhere else?

17 A. No, it would be still in our possession.

18 Q. What would it be used for? If you don't
19 mind my asking.

20 A. I mean, it would never be used again until
21 it's been -- all files have been deleted and it's
22 been reformatted. And then it could be used -- it
23 could be used as far as to load -- as a thumb drive,
24 we may load it with a file to load the BMD -- our
25 project onto the BMDs or something like that. Or it

1 can be used -- once it's deleted and reformatted, it
2 can be used again as far as to -- to load results to
3 be used for ENR again on another election day.

4 Q. What about software updates?

5 A. No, not -- no. None of our -- none of our
6 removable media has ever been used for software
7 updates.

8 Q. How do software updates happen? If there's
9 a better way to ask that. Do the election system
10 components Fulton County has sometimes need software
11 updates?

12 A. No, not to my knowledge. I mean, if
13 there's a software update, I'm pretty sure that it
14 will come from -- we will be notified by the
15 Secretary of State.

16 Q. How would that work?

17 A. Well, basically more than likely notify the
18 director and then we would be notified on how the
19 process would be taking place.

20 Q. Can you give me an example of a software
21 update where the Secretary of State notified Fulton
22 County that it needed to take place?

23 A. Yes. We had one -- we have only had one
24 and that was done in October of 2020. But we were
25 notified that -- we were notified that all of the

1 BMDs had to be updated to an updated version and that
2 we -- that it was going to be done by Dominion.

3 Q. Okay. Did Dominion, in fact, conduct the
4 software update in October of 2020?

5 A. Yes, they did.

6 Q. I should be more clear. When I say
7 "Dominion," I mean contractors or employees of
8 Dominion Voting Systems as opposed to Fulton County
9 employees acting under their direction. Do you know
10 which one it was?

11 A. Yes, it was totally Dominion contractors
12 and employees that actually did the update. We did
13 help them put the machines on the table, but none of
14 our guys were authorized to do the updates.

15 Q. Okay. So Dominion -- I don't know if it
16 was contractors or employees, so I will just say so
17 Dominion was physically on-site with the equipment to
18 which they were providing software updates. Is that
19 right?

20 A. Yes, they were basically on the site. They
21 brought the USB drives and then they also had the
22 contractors or employees to do the update on our
23 ballot-marking devices.

24 Q. Did Fulton County have any role with
25 ensuring the software update worked properly?

1 A. I mean, no, not to my knowledge. Only
2 thing, we just -- we could look at the screen and
3 tell the new update because it had different numbers.
4 We could tell that the new update was -- was done on
5 that particular BMD.

6 Q. What about whether the software update had
7 worked properly? I may have just said that. I
8 apologize if I did.

9 Did Fulton County have any other role with
10 ensuring the software update was performed properly,
11 was appropriately certified, or any other -- this is
12 a terrible question, and I apologize. I'm going to
13 have to break for coffee soon. Did Fulton County
14 play any role in ensuring the software update was
15 certified and worked the way it was supposed to work
16 aside from seeing that it was actually being
17 installed on a BMD?

18 A. No.

19 Q. Those portions were all at the direction of
20 the Secretary of State's Office or Dominion, one of
21 the two?

22 A. Yes.

23 Q. Did Fulton County conduct acceptance
24 testing after the software was installed in
25 October 2020?

1 A. No.

2 Q. Forgive me. I don't think you said about
3 when in October of 2020 this would have been. Do you
4 remember if it was before or after advanced voting
5 started?

6 A. I can't -- I can't totally recall.

7 Q. It's all right if you don't remember.

8 A. I'm not particularly sure. I can't -- I
9 can't give an answer on that, but I believe it was
10 before early voting.

11 Q. We talked through a couple of examples just
12 now about connections, interactions or other actual
13 or potential exchanges of software or data between
14 Georgia's current election system, as used in Fulton
15 County, and other computer systems or devices,
16 internet, telephone lines, cable lines, satellites,
17 however it's done. We talked about tabulation result
18 transfer and then we talked about software updates.
19 Does anything else come to mind that you can tell me
20 about everything I just said, which should be in
21 topic 2 of the notice of deposition?

22 A. No, I can't think of anything else.

23 MR. SPARKS: Can we go off the record for a
24 moment?

25 THE VIDEOGRAPHER: The time is 12:41 p.m.

1 we are off the record.

2 (WHEREUPON, a luncheon recess was taken,
3 12:41 - 1:20 p.m.)

4 THE VIDEOGRAPHER: The time is 1:20 p.m.
5 We are on the record.

6 Q. (By Mr. Sparks) Mr. Gilstrap, welcome back.

7 A. Thanks.

8 Q. Can you still hear me okay?

9 A. Yes, I can.

10 Q. I had a couple additional questions on the
11 removable media issues I just wanted to follow up on.
12 First, going back to tabulation of -- if I understand
13 correctly, of compact flash cards used in polling
14 places throughout Fulton County being physically
15 transported to the election processing center and
16 loaded into a tabulation server. And I know that's a
17 colloquial term, but what I mean is the machine that
18 is used to tabulate the results. Are you with me so
19 far?

20 A. Yes.

21 Q. What does Fulton County do to make sure
22 that no given flash card has its results uploaded
23 twice on the tabulation server?

24 A. Well, once it's uploaded into the election
25 management system, to my knowledge, it cannot be

1 uploaded again to the same card. It would give an
2 error message if it is uploaded a second time.

3 Q. So Fulton relies on the software used in
4 the election management server to notify the user of
5 an error message if a flash card with results that
6 had already been uploaded is attempted to be uploaded
7 again?

8 A. Yes.

9 Q. And what about Fulton County's efforts to
10 ensure that no flash card that should have its
11 results uploaded is somehow missed, what does Fulton
12 do to attempt to ensure that that does not happen?

13 A. Well, what we do is that we created our own
14 checks and balances in regards to we created a
15 spreadsheet that we use. Once that that memory card
16 has been tabulated, it is put onto the spreadsheet as
17 has been tabulated. And then we also use the report
18 from the election management system, like statements
19 of votes had, we'd go and make sure that all
20 precincts that are involved in that election have
21 results.

22 Q. I'm a lawyer. I like checks and balances.
23 I'm happy to hear you say that. Can you tell me a
24 little bit more about the spreadsheet?

25 A. Basically what the spreadsheet has is it

1 has the amount of flash cards that were sent out for
2 a particular location and each and every location
3 on -- from election day on the spreadsheet and it
4 then has the amount of flash cards that we sent out.
5 So once we receive a flash card from a particular
6 precinct, we upload it and then we have someone that
7 notates it on the spreadsheet.

8 Q. Is there a certain person in charge of
9 ensuring the spreadsheet is correct and up to date?

10 A. Yes, that's Mr. Olomo.

11 Q. And is the spreadsheet something that is
12 created by the EMS software or something else
13 provided by a vendor?

14 A. No.

15 Q. This is just your standard Microsoft Excel
16 spreadsheet?

17 A. It's a standard Microsoft Excel
18 spreadsheet.

19 Q. And is it saved on Fulton County's own IT
20 servers?

21 A. No, it's -- no, it's not.

22 Q. Okay. Where is it saved?

23 A. It's basically saved -- we basically save
24 that on our personal -- our laptop that we have here
25 at the EPC. It's just -- it's one of the things that

1 we noticed when we got the system, that checks and
2 balances, we -- we did not like, as far as how checks
3 and balances were in regards to making sure, I mean,
4 coming from the old GEMS system, it alerted you when
5 you received all the memory cards. The new system
6 does not. So we expressed our concern to Dominion,
7 and that's when we collaborated with Dominion to
8 create -- we created this spreadsheet from our
9 election project and, you know, that's what we use in
10 order to -- that's one of our checks and balances to
11 make sure we receive every memory card.

12 Q. So the EMS report you mentioned from
13 Dominion's system, it didn't alert you to when all
14 memory cards the system expected had been uploaded?

15 A. I mean, we -- we definitely check. We have
16 to check it ourselves. It doesn't alert you. As you
17 know, how many we have had in the past with other --
18 other election systems.

19 Q. So what does the EMS report contain then?

20 A. I mean, the EMS file, it contains -- I
21 mean, you can go ahead and check and see if that
22 precinct has been uploaded. But it will definitely
23 alert you if it hadn't been, if you try to upload it
24 a second time. But as far as the first initial
25 assignment, does not.

1 Q. I want to turn back to Exhibit 1 for a
2 moment, Exhibit 1 being the same Amended Notice of
3 Deposition we turned back to a few times. I want to
4 scroll down to topics 6, 7, and 8. Let's see if I
5 can get all of this on there. Maybe not all of it.
6 All right.

7 So topic 6 reads, Practices and policies
8 for creating ballot definition files and Election
9 Project Packages for Fulton County 2020 or 2021
10 elections, including when, where, how and by whom
11 such files were created and transmitted for use in
12 any such election. Did I read that right?

13 A. Yes.

14 Q. And to your knowledge, are you testifying
15 for Fulton County regarding topic 6 as I just read
16 it?

17 A. Yes.

18 Q. Okay. Topic 7 reads, Procedures and
19 instructions for Fulton County's review and approval
20 of the election project packages. Did I read that
21 right?

22 A. Yes, you did.

23 Q. And are you testifying on behalf of Fulton
24 County regarding topic 7 today?

25 A. Yes, I am.

1 Q. Topic 8 reads, Practices and policies for
2 transferring scanned ballot data, tabulation data or
3 information for Georgia 2020 or 2021 elections to
4 Georgia's Secretary of State, including when, how,
5 and by whom such data or information was collected or
6 transmitted. Did I read that right?

7 A. Yes, you did.

8 Q. And are you testifying on behalf of Fulton
9 County regarding topic 8 here today?

10 A. Yes, I am.

11 Q. I read those together because I think we've
12 touched on pieces of these in our prior conversations
13 centered on earlier topics. And I wanted to make
14 sure that we weren't straying outside the bounds of
15 your designation in that prior testimony. Would you
16 agree that you were within your competency to testify
17 for Fulton County when talking about these subjects
18 earlier today?

19 A. Yes.

20 Q. Okay. So regarding topic 6, Practices
21 and -- I won't read the whole thing again, but
22 regarding ballot definition files and election
23 project packages, tell me what research you did on
24 this topic to prepare to testify about it today.

25 A. None.

1 Q. Did you review any documents?

2 A. No.

3 Q. Did you talk to anyone to prepare to
4 testify about this topic?

5 A. Yes.

6 Q. Was it also Mr. Olomo, Ms. Williams and the
7 county attorney?

8 A. Yes.

9 Q. And were these in the same two sessions
10 that we discussed earlier?

11 A. Yes, it was.

12 Q. Are you relying on any other sources for
13 your testimony about this topic?

14 A. No.

15 Q. Let's go ahead and do the same for topic 7.
16 What research did you do, if any, to prepare to
17 testify about topic 7 today?

18 A. None.

19 Q. Did you review any documents to prepare to
20 testify about that topic today?

21 A. No.

22 Q. Did you talk to county attorney, Mr. Olomo
23 and Mr. Williams to prepare to testify about this
24 topic today?

25 A. Yes.

1 Q. Did you speak to anyone else?

2 A. No, I didn't.

3 Q. And these were the same two sessions we
4 discussed earlier. Is that right?

5 A. Yes, it was.

6 Q. Are you relying on any other sources for
7 your testimony about this topic?

8 A. No.

9 Q. Well, just looking at the two of these
10 together -- and we will start with topic 6. What can
11 you tell me about how ballot definition files were
12 created for Fulton County for the 2020 or 2021
13 elections?

14 A. I can say I was not responsible for it, but
15 creating ballot definition files, that would more
16 than likely be a question for Mr. Olomo.

17 Q. Well, Mr. Olomo wasn't designated to talk
18 about that today for Fulton County. You were.
19 That's why I'm asking you.

20 A. Okay.

21 Q. Is there anything you can tell me about
22 that?

23 A. Only thing I can tell you is that I know we
24 do create the ballot definition files. That's --
25 that's about it. And we have talked about the

1 election project packages that we received from the
2 CES, but I think Dennis Stentis, he would be the one
3 who could get more extensive with that.

4 Q. Okay. We talked a little bit earlier about
5 from where Fulton County received the election
6 project packages. Do you remember that?

7 A. I can't -- I can't hear you.

8 Q. I'm sorry. I'll try to speak up. I
9 believe we talked earlier about where the election
10 project packages come from to Fulton County from the
11 Georgia Secretary of State. Am I remembering that
12 correctly?

13 A. I'm not able to hear you.

14 THE VIDEOGRAPHER: Would you like to go off
15 the record?

16 MR. SPARKS: Can anyone hear me?

17 MS. RINGER: I can hear you.

18 THE WITNESS: I can hear you now.

19 Q. (By Mr. Sparks) Okay. Okay. Hopefully,
20 that was a momentary hiccup.

21 Mr. Gilstrap, I was asking whether if you
22 also recalled that we talked a bit about how Fulton
23 County receives election project packages.

24 A. Yes.

25 Q. And I recall your testimony being that they

1 came from the Georgia Secretary of State's Office on
2 USB drives in sealed envelopes. Is that right?

3 A. Yes, they come from the center of election
4 systems in sealed envelopes, yes, sir.

5 Q. So what more can you tell me about the
6 procedures and instructions for Fulton County's
7 review and approval of those election project
8 packages once they arrive?

9 A. Okay. Well, before we even -- before we
10 even get the election packet, all the races and
11 candidates and all ballots have to be approved, and
12 those are particularly approved by the election chief
13 and her staff.

14 We at the warehouse, we definitely take a
15 look at the location, precinct locations to make sure
16 all precinct locations are on the list of project
17 packages through what we call a tabulator report.
18 And we look at those and make sure that all precincts
19 are on the packets that are supposed to be for that
20 election. If not, we will definitely let them know
21 that -- that we are missing any, if we are.

22 Other than that, that is our only -- that's
23 our only tact in regards to verifying the election
24 packages. So once all ballots are verified, all
25 candidates are correct -- I mean, all races are

1 correct and then that's when we -- we receive the
2 sealed USB drive with the election package on it to
3 prepare for L&A, our logic and accuracy testing.

4 Q. Thank you. So the only task for verifying
5 the data that Fulton County does upon receiving the
6 election project packages -- I should say tasks --
7 are, one, to ensure the ballots are correct; two, to
8 ensure the races have the correct candidates; and
9 three, to ensure that all of Fulton County's
10 precincts have a ballot style as shown in the
11 tabulator report. Is that right or did I say
12 something that needs to be corrected?

13 A. That is correct. Well, what I was saying
14 is make sure the ballots are correct. That's one of
15 the things, you want to make sure that the ballot
16 styles are correct and that you have the correct
17 ballot styles for each precinct. So that's part
18 of -- that's part of verifying all of the ballots,
19 you know. You've got to make sure all the races are
20 in correct districts. All of that is involved in
21 verifying the ballots and verifying the races. Then
22 you got to make sure all the candidates' names are
23 correct on each -- for each race. All of that is
24 involved in that, part of verification.

25 Q. That verification does not include whether

1 individual voters are assigned to the correct
2 precincts, right?

3 A. No, that -- that verification -- well, I
4 can't answer that question because that's part of the
5 executive chief and her staff. I cannot answer that
6 question. I don't want -- I don't have the knowledge
7 on that. You know, so I'm not sure they are doing
8 that or not.

9 Q. That's fine. I'm sorry. You said those
10 were on whose staff, so you didn't want to intrude?

11 A. That would be a question for Nadine
12 Williams and her staff in regards to verifying the
13 ballots.

14 Q. Does the term "election project package"
15 also refer to the file Fulton County uploads to the
16 Secretary of State after election votes have been
17 certified?

18 A. Yes, it's the same project package. It's
19 completed with our tabulated results.

20 Q. Does that mean it's the same file type?

21 A. I'm -- I -- I don't know on that.

22 Q. Yes. I'm not trying to play gotcha with
23 that question. What I'm asking is what you mean.
24 I'm trying to ask whether it's the same type of file
25 or if election project package is a name that's

1 applied to any of these complex packages that are
2 sent from the Secretary of State to Fulton County or
3 vice versa?

4 A. I mean, it's the exact same package, so I'm
5 assuming it's the same file. I mean, I'm not -- I'm
6 not 100 percent on -- 100 percent knowledge on that.
7 I mean, but it is the -- I mean, we send them the
8 project package that they sent us.

9 Q. So in terms of how election project
10 packages are reviewed and approved for sending from
11 Fulton County to the Georgia Secretary of State after
12 results are certified, does that process change at
13 all on Fulton's end?

14 A. No. Not -- no, not as I know of. I am --
15 not to my knowledge. I mean, it's the same. It's
16 the same. We just take a copy of the project package
17 and send it to them.

18 Q. So there's nothing extra that's done after
19 the election project package is created from the
20 certified results before it's sent off to the
21 Secretary of State?

22 A. No, not -- not of my knowledge.

23 Q. I'm going to mark an exhibit for your
24 review, Mr. Gilstrap. Just give me one moment.

25 MR. SPARKS: I have just put a document in

1 your marked exhibits folder that's marked as
2 Exhibit 4. I'll try to bring it up on my screen
3 as well, but you may have -- the text is a
4 little small. You may have better luck looking
5 at it in your marked exhibits folder.

6 (Exhibit 4, Document entitled, Fulton
7 County Recount of the Presidential Contest,
8 Bates stamped State-Defendants-00113529 -
9 113530, marked for identification.)

10 MS. RINGER: You might have to refresh to
11 pull it up, Derrick.

12 A. Okay. I got it.

13 Q. (By Mr. Sparks) Once you have it in front
14 of you, if you'd just take a moment to review the
15 document.

16 Just let me know when you're ready, please.

17 A. Okay. I'm ready.

18 Q. Sure. Do you recognize this document?

19 A. No, this is the first time I've seen this
20 document.

21 Q. Okay. Do you know who wrote it?

22 A. No, I do not. Like I said, it's the first
23 time I'm seeing this document.

24 Q. Is the information in the document at all
25 familiar to you?

1 A. So yes, some of it is. I mean, I'm not
2 sure how much is a hundred percent correct.

3 Q. Do you see at the top of Page 1 where it
4 says, Fulton County Recount of the Presidential
5 Contest?

6 A. Yes.

7 Q. And the first date appears to read
8 November 24th, 2020. Do you see that?

9 A. Yes, I do.

10 Q. And then according to this document,
11 apparently Thanksgiving day was on December 26th,
12 2020. I suspect that was a scrivener's error, but I
13 can't speak to that.

14 Anyway, what I wanted to ask you about is
15 this paragraph that breaks from bottom of the first
16 page to the top of the second page. It's actually
17 a -- I see the name Dominic Olomo somewhere in the
18 paragraph, maybe the sixth line. And what I wanted
19 to ask about is the sentence that breaks from the
20 bottom of the first page to the top of the second
21 that reads, His plan was to make a copy of the
22 election project on the Express Server and load that
23 copy into EED on the Standard Server and then upload
24 the USB drives from Provisional Ballots and Advanced
25 In Person ballots to the Standard Server. Do you see

1 that sentence?

2 A. Yes.

3 Q. So in the context of trying to understand
4 what procedures and instructions Fulton County has
5 for the approval of its election project packages.
6 First off, can you speak to what the author of this
7 document was talking about at all in terms of Fulton
8 policies' creation and uploading of express project
9 packages?

10 A. No, can you explain the question?

11 Q. I'm wondering what you can tell me about
12 the assertion at the bottom of that paragraph,
13 breaking from Page 1 to Page 2, is there anything you
14 can tell me about what's being described here?

15 A. I mean, as far as if it was a policy or
16 not?

17 Q. Well, sure. Let's start there. Does
18 that -- is that reflective of any policies and
19 procedures at Fulton County?

20 A. No. I mean, I don't think it was any
21 policies at all. This is the first time this more
22 than likely have happened in this station, as far as
23 the election system server crash.

24 Q. Can you tell me more about that?

25 A. Only thing I can tell you that the express

1 server that we had on-site for the recount, that
2 server, prior to malfunctioning, therefore, we could
3 not upload any results onto that server. And that's
4 when the plan to upload to the standard server came
5 about.

6 Q. So was this -- is it fair to say this was
7 an ad hoc response to a new situation?

8 A. Yes, sir. Yes.

9 Q. Was Fulton County making decisions about
10 how to deal with that ad hoc situation? I should
11 phrase that differently. Was it Fulton County that
12 developed the ad hoc solution to this new situation?

13 A. I mean, I -- I mean, I was as far as not
14 directly involved in making that decision, so I
15 couldn't answer -- I couldn't answer that. That
16 would more than likely be a question for Mr. Barron,
17 the director or Mr. Olomo to answer that question.

18 Q. Okay. But to your knowledge, this does not
19 reflect any Fulton County procedures or policies
20 concerning the approval of election project packages
21 for uploading?

22 A. To my knowledge, it doesn't.

23 Q. I'm going to go back to topic 8 now. I'm
24 just pulling up the notice so I can see it. Would
25 you like me to share Exhibit 1 on my screen again,

1 Mr. Gilstrap?

2 A. Yes, please.

3 Q. Concerning topic 8, what research on this
4 topic did you do to prepare to testify today?

5 A. None.

6 Q. Did you review any documents to prepare to
7 testify on topic 8 today?

8 A. No.

9 Q. Did you speak with anyone about topic 8 to
10 prepare to testify on it today?

11 A. Yes.

12 Q. And who was that with?

13 A. That was with Mr. Olomo, Ms. Williams and
14 the county attorney.

15 Q. Did you speak to anyone else to prepare to
16 testify about topic 8 today?

17 A. No.

18 Q. Are you relying on any other sources for
19 your testimony about topic 8 today?

20 A. No.

21 Q. Acknowledging that we have already spoken a
22 bit about the transfer of tabulation data or
23 information for Georgia 2020 or 2021 elections to the
24 Georgia Secretary of State's Office, what else can
25 you tell me about Fulton's practices and policies for

1 transferring scanned ballot data or tabulation data?

2 A. No other policies I can tell you other than
3 what we talked about earlier.

4 Q. So scanned ballot data, what does that
5 mean? That's my topic. I should do a better job of
6 explaining it. We talked a little bit about the
7 collection of election results, bringing them
8 together to the Fulton EPC and the tabulation server.
9 Do you remember that?

10 A. (Witness nodded head affirmatively.)

11 Q. Okay. Regarding scanned ballot data, are
12 the results the only thing that increasing optical
13 scanners capture?

14 A. We have scanned ballot data that could be
15 the scanning -- the scanning of not only election-day
16 ballots but absentee by mail as well as provisional
17 ballot.

18 Q. What about ballot images, do optical
19 scanners capture ballot images as they pass through?

20 A. Yes. Ballot images are captured in
21 regards -- and you are talking about in regards to
22 paper ballots, yes.

23 Q. Well, let's back up a level. What is a
24 ballot image?

25 A. Ballot image is an image of the ballot that

1 was scanned through either the high-speed scanner or
2 one of the election-day scanners or the early voting
3 scanner.

4 Q. In 2020 elections in Fulton County, did
5 Fulton County preserve ballot images in any of those
6 2020 elections?

7 A. Yes, we did. We did as far as -- as far as
8 we were not told to make images of election-day
9 ballots until the -- until the re- -- I mean until
10 the runoff.

11 Q. Who told you that?

12 A. I mean, that was part of the -- that was
13 part of the -- I guess the policies of the Secretary
14 of State because that's when they asked us, after the
15 election, to provide ballot images.

16 Q. After which election?

17 A. The January 2021 runoff. We've been
18 providing them ever since.

19 Q. Before the Secretary of State's Office
20 asked you to retain ballot images, if that is your
21 testimony, concerning the election-day ballots for
22 the January 5th, 2021 runoff elections, prior to
23 that, did Fulton County have any policy, practice,
24 procedure or other method of preserving ballot images
25 after the close of the polls in a given election?

1 A. No, we didn't.

2 Q. Did I hear you right that current policy
3 allows for preservation of those ballot images after
4 the polls close?

5 MS. RINGER: Object to the form of the
6 question. Go ahead and answer.

7 A. Yes.

8 Q. (By Mr. Sparks) Okay. And how are they
9 preserved?

10 A. They are preserved on the election project,
11 the same election projects which we are now permitted
12 to -- to provide to the Secretary of State after each
13 election.

14 Q. Are you permitted to provide them to the
15 Secretary of State or are you required to provide
16 them to the Secretary of State?

17 A. Required. We are required to provide them.

18 Q. Okay. I may come back to that, but I want
19 to move off for the moment to topic 9. I'll warn you
20 in advance it's a long one. But you may want to read
21 along with me as I ask some questions about topic 9.
22 So topic 9 reads, Any testing, examination,
23 reexamination, evaluation, study, analysis,
24 investigation or assessment of the security,
25 integrity, reliability, accuracy or transparency of

1 Georgia's current Election System or its prior
2 GEMS/DRE election system, including, a, acceptance
3 testing of any component of the current Election
4 System, the results thereof, and any steps or
5 measures contemplated or taken in response to any
6 such testing; b, Logic and Accuracy Testing of the
7 current voting equipment, the results thereof, and
8 any steps or measures contemplated or taken in
9 response to any such testing; c, any reports,
10 findings or conclusions regarding any potential or
11 actual security concerns, breaches or vulnerabilities
12 involving any aspect of Georgia's current or prior
13 Election System; d, documentation -- including
14 research, reports, assessments, findings, studies,
15 publications, memoranda and communications --
16 regarding the security, integrity, reliability,
17 accuracy or transparency of any component of
18 Georgia's current Election System. Did I read that
19 mouthful correctly?

20 A. (Witness nodded head affirmatively.)

21 Q. And do you understand that you are
22 designated to testify on behalf of Fulton County
23 regarding topic 9?

24 A. Yes.

25 Q. Do you regret that choice now? You don't

1 have to answer that. I'm joking. I apologize. I
2 know it's long, but there are important reasons why
3 that topic stretches to that extent. So I'm going to
4 ask you a few of the same more general questions I
5 have asked about earlier topics and then perhaps we
6 can break it down a little bit.

7 A. Okay.

8 Q. So Mr. Gilstrap, what research, if any,
9 have you done about topic 9 in preparing to testify
10 about it today?

11 A. None.

12 Q. Have you reviewed any documents to prepare
13 to testify about topic 9 today?

14 A. No.

15 Q. Did you also speak with Mr. Olomo,
16 Ms. Williams and the county attorney in preparing to
17 testify about topic 9 today?

18 A. Yes.

19 Q. Did you speak to anyone else?

20 A. No.

21 Q. And in those conversations that you did
22 have, are we still referring to the two sessions you
23 described earlier in your testimony?

24 A. Yes.

25 Q. Are you relying on any other sources of

1 information or knowledge for your testimony about
2 topic 9 today?

3 A. No.

4 Q. Okay. So let's break it up a little bit.

5 Let's start with acceptance testing. I'm
6 looking at subsection a of topic 9. What else can
7 you tell me about acceptance testing of any component
8 of the current election system?

9 A. Well, what I can tell you is that all new
10 equipment has to go through acceptance testing. And
11 acceptance testing is done by the CES, the center of
12 election systems, which is part of the Secretary of
13 State's Office. Anytime we receive new equipment, it
14 goes through acceptance testing to meet the standards
15 that it can use in a Georgia election. Any broken
16 equipment that has been repaired, it has to be
17 acceptance tested before we are able to use it again.
18 Those are the items that I'm -- that's the only
19 things that I can think of that goes through
20 acceptance testing. And I can't tell you exactly
21 what's the acceptance tests. I have never -- I have
22 never actually been in an acceptance test or been a
23 part of an acceptance test. I just know that they
24 come and do acceptance tests here or with new
25 equipment, they do it before we receive it. And in

1 this -- and once this acceptance test received a
2 state seal that is put on the piece of voting
3 equipment to certify that it has been acceptance
4 tested and that's how we know. They use that -- that
5 state seal, then it's date stamped, time and date --
6 I mean, not time stamped, but date stamped.

7 Q. Are Fulton County elections employees
8 observing while the acceptance testing is going on
9 on-site in Fulton County?

10 A. I mean, yes, to -- I mean, yes, to a
11 certain extent. We -- we don't -- we don't know
12 exactly what they are acceptance testing it. We just
13 know that acceptance testing is being taken place on
14 the unit.

15 Q. And for any given components, you know that
16 it's passed acceptance testing due to the presence of
17 a date-stamped seal. Do I have that right?

18 A. Yes.

19 Q. When an election is approaching, were
20 Fulton County to find equipment that lacks that seal,
21 what does Fulton County do in response?

22 A. We would call the -- we would call CES and
23 ask them to come and certify such equipment.

24 Q. How long does that typically take?

25 A. By that, they would set up -- usually set

1 up an appointment. I mean, usually they make -- if
2 it's close to an election, it would probably be the
3 next day or no more than two days later. If it -- if
4 it -- if it, say, like we -- if the election is
5 approaching and we need such equipment, they would
6 come as soon as possible. Otherwise, you know, we
7 would have to set up an appointment if it's not an
8 election time.

9 Q. In describing this acceptance testing of
10 election system components, does that apply to
11 Dominion-manufactured equipment?

12 A. Yes, it does.

13 Q. Does it apply to equipment that's not
14 manufactured by Dominion?

15 A. No, it's -- no, it's applied to all the --
16 all the equipment used in an election. So I will
17 have to possibly -- I mean, yes, it would probably --
18 any -- any equipment that's used in an election has
19 to be acceptance tested by the Secretary of State's
20 Office.

21 Q. That includes the off-the-shelf printers
22 that I understand are used as part of Georgia's
23 election system?

24 A. Yes, it does.

25 Q. Okay. And that's all done by the Secretary

1 of State's Office? Do I understand correctly?

2 A. Yes, yes.

3 Q. And you don't know the content or the
4 procedure or how that's done?

5 A. No, I don't know the content or procedure
6 of how --

7 Q. And I'm sorry, I didn't mean to cut you
8 off.

9 A. No, I was just saying I don't know the
10 content and procedure of how it's done.

11 Q. And is that because Fulton County does not
12 have a role in acceptance testing beyond checking to
13 ensure the seals have been applied?

14 A. Yes, we don't have a role in acceptance
15 testing.

16 Q. Regarding topic b, logic and accuracy
17 testing of current voting equipment, the results
18 thereof and steps or measures contemplated or taken
19 in response to any such testing. I think I dropped
20 one more there. I apologize. What else can you tell
21 me about logic and accuracy testing that Fulton
22 undertakes on voting equipment?

23 A. Logic and accuracy testing is done by
24 Fulton County. It's -- we do the logic and accuracy
25 testing based on the procedures, the standard

1 procedures that were provided by the Secretary of
2 State. And to make sure the equipment is working
3 properly and all the election package and -- is
4 loaded on to all equipment and make sure that it
5 works properly and is ready to be voted on by a voter
6 on either early voting or election day.

7 Q. And who, either which person or what
8 office -- may be a different response, I'm realizing,
9 as I ask this -- who is responsible for logic and
10 accuracy testing for Fulton County right now?

11 A. Right now? The logic and accuracy testing
12 is part of the election systems. So it's part of the
13 elections office. It's headed by Mr. Olomo, who is
14 the head -- he's the head manager of L&A testing as
15 well as any election systems that are done.

16 Q. And for prior elections, let's say, 2021,
17 was it also Mr. Olomo?

18 A. No, I was -- I was -- 2021, I was in charge
19 of logic and accuracy testing and my staff.

20 Q. Can you speak to how logic and accuracy
21 testing works on the prior GEMS/DRE election system?

22 A. Yes, I can.

23 Q. Can you tell me a little bit about that
24 and, in particular, I'm interested in how it -- the
25 procedures differed from the way they do for the

1 current election system components.

2 A. Okay. Well, with the logic and accuracy
3 testing on the GEM system, basically we still went
4 through -- we went by the standard procedures of
5 Secretary of State. We -- we basically did
6 diagnostic tests on all of the test screen units. We
7 made sure that the count, moved it -- made sure that
8 it had a zero count before we started voting on each
9 unit. And then we went by as far as our voting on
10 each unit, make sure that each unit can vote. The
11 older units, I mean, the -- what we call the DRE
12 units, they had -- all of these steps were printed
13 out on a tape that was a part of the DRE unit. So we
14 voted on it, made sure that the votes were counted on
15 and -- on the tape, and then we also, once we voted
16 on the tape, we took the memory card from the unit
17 and made sure that it could tabulate into the server.
18 And once we did that, we put the memory card back
19 into the DRE unit and made sure that the votes were
20 cleared out and the count was zero. But once we did
21 that, we set it for what we call -- we set it for
22 election, and that's when we shut it down and it was
23 ready to be voted on on either advanced voting or
24 election day.

25 Q. This may sound like a silly question but is

1 logic and accuracy testing of Georgia's election
2 system components important?

3 A. Very important.

4 Q. Why?

5 A. Because if we don't do logic and accuracy
6 testing, we will not know whether -- well, first and
7 most important thing is that we want to make sure
8 that it can -- that all of the equipment can tabulate
9 results. If it cannot tabulate results, then we
10 would have a problem on election night. So that's
11 one -- that's the major reason why we want to do
12 logic and accuracy testing. Another reason is that
13 we want to make sure all of the equipment work right
14 and work right for that precinct. So, I mean, with
15 the DR -- with the DREs, each of them were assigned
16 to a specific precinct. So if -- and it had its own
17 memory card. So if that memory card was -- if
18 that -- if all of the DREs were not correct, then --
19 and it could not be tabulated on the server, then if
20 it's voted on then, we would not be able to -- well,
21 we would not be able to get the results from that
22 memory card. So I mean, so logic and accuracy
23 testing is our way of verifying that the equipment
24 that goes out to be voted on is accurate, that we
25 will be able to get tabulated results from that

1 equipment, and all the equipment is functioning
2 properly.

3 Q. And Fulton County follows the Secretary of
4 State's Office's instructions for how to perform
5 logic and accuracy testing. Is that right?

6 A. Yes, we do.

7 Q. So Fulton County would not have the
8 authority to alter those instructions or the
9 performance of logic and accuracy testing, I suppose,
10 if it thought it needed to be changed in any way?

11 A. No, we would not.

12 Q. Mr. Gilstrap, are you aware of any reports
13 or findings or conclusions regarding any potential or
14 actual security concerns, breaches or vulnerabilities
15 having to do with Georgia's current election system?

16 A. No, not to my knowledge.

17 Q. Do you have any reason to think that your
18 knowledge would differ from that of Fulton County on
19 whose behalf you are testifying here today?

20 A. No.

21 Q. Are you aware of any reports or findings or
22 conclusions regarding any potential or actual
23 security concerns, breaches or vulnerabilities
24 regarding Georgia's prior election system?

25 A. Not -- not that I can think of. No.

1 Q. And again, I'll ask, do you have any reason
2 to think or believe that your knowledge would differ
3 from that of Fulton County, on whose behalf you are
4 testifying here today?

5 A. No.

6 Q. Do you have any knowledge of any
7 documentation regarding the security or reliability
8 or accuracy of Georgia's current election system?

9 A. No, not to --

10 Q. I just want -- I'm sorry. I didn't mean to
11 cut you off.

12 A. No, not to my -- not to my knowledge, no, I
13 don't.

14 Q. Okay. So to be clear, you don't know of
15 any studies, any assessments, any findings, nothing
16 of that nature --

17 A. No.

18 Q. -- regarding the security, reliability,
19 accuracy of Georgia's election system?

20 A. No, not -- not to my knowledge, no.

21 MR. SPARKS: Can we go off the record for a
22 moment?

23 THE VIDEOGRAPHER: The time is 2:20 p.m.

24 We are off the record.

25 (WHEREUPON, a recess was taken.)

1 THE VIDEOGRAPHER: The time is 2:33 p.m.

2 We are on the record.

3 Q. (By Mr. Sparks) Mr. Gilstrap, I want to
4 talk now about topic 11 and topic 12 of the 30(b)(6)
5 deposition notice. I'll bring it back up again so
6 you can review. So topic 11 of the Third Amended
7 Notice of Deposition reads, Dominion's role and
8 responsibilities in any 2020 and 2021 Fulton County
9 elections including, a, any oversight Dominion
10 exercises over technicians or other election workers
11 in any such election; b, any access any Dominion
12 Worker had to any components of the election system
13 used in any such election after Fulton County took
14 possession of the component or components whether
15 (and, if so, how, when and by whom) that access was
16 exercised by any Dominion Worker and the reasons for
17 any such access; c, any changes that any Dominion
18 Worker made to any components of the Election System
19 (including servers and any software, firmware or data
20 on the equipment) used in any such election after
21 Fulton County took possession of component or
22 components, including how, when, why and by whom any
23 such changes were made. Did I read that correctly?
24 I cannot hear you, Mr. Gilstrap.

25 A. Yes, you did. Can you hear me?

1 Q. I can hear you now.

2 A. Okay.

3 Q. And do you understand that you are
4 designated to testify for Fulton County on topic 11
5 today?

6 A. Yes.

7 Q. So tell me what research, if any, you have
8 done on topic 11 to prepare to testify to it today.

9 A. None.

10 Q. Did you review any documents to prepare to
11 testify on topic 11?

12 A. No.

13 Q. Did you speak with anyone to prepare to
14 testify on topic 11?

15 A. Yes.

16 Q. Was that Mr. Olomo, Ms. Williams and the
17 county attorney?

18 A. Yes.

19 Q. And were those the two sessions that we
20 talked about earlier?

21 A. Yes, it was.

22 Q. Did you speak to anyone else to prepare?

23 A. No.

24 Q. And are you relying on any other sources
25 for your testimony about topic 11 today?

1 A. No.

2 Q. So starting with subsection a -- and we may
3 come back to the umbrella role and responsibilities.
4 I think we discussed a little bit about that today
5 already. Starting with subsection a, what oversight
6 does Dominion exercise over technicians or other
7 election workers in a Fulton County election in 2020
8 or 2021? And I will direct you that if it is
9 different or if it has changed at some point, please
10 let me know how and when.

11 A. I mean, other than when we were assigned
12 Dominion techs, I mean, that's -- I mean, that's the
13 only exercise over technicians that I'm aware of in
14 regards to any such election.

15 Q. Okay. So what roles and responsibilities
16 would a Dominion tech have in any given Fulton County
17 election over the past two years?

18 A. A Dominion tech would -- I'm not sure
19 exactly what Dominion asked of a Dominion tech. I
20 just know that they -- that Dominion technicians were
21 assigned to help us out in regards to with the --
22 with the election system and as far as helping us in
23 regards to L&A when we first received the equipment.

24 Q. Who assigned the Dominion techs to Fulton
25 County?

1 A. They were assigned by Dominion, I mean,
2 through Secretary of State.

3 Q. About how many were assigned in 2020?

4 A. In 2020, we had four Dominion techs
5 assigned.

6 Q. Is that referring to the general election
7 or any -- the 2021 runoff or any other subcomponent?
8 2020 primary, for example?

9 A. Yes, that -- I mean, it started with the
10 primary and continued throughout all elections in
11 2020.

12 Q. So Dominion assigned four techs to Fulton
13 County for each of the 2020 primary, 2020 primary
14 runoff, 2020 general and spilled over to 2021 and --

15 A. Yes, yes, they did. I mean, as I can
16 count. Now, we did not have the same Dominion techs
17 for each election. So you know, we were assigned
18 different Dominion techs. I think it was mainly due
19 to the pandemic. I mean, certain techs were not able
20 to return, that we were assigned different techs.

21 We were assigned four techs for the primary
22 and now that I'm thinking, we were only assigned
23 three techs for the other elections.

24 Q. Did you say they assisted with logic and
25 accuracy testing?

1 A. I mean, yes. I mean, they assisted and
2 they helped with our -- our staff remained the ones
3 doing the logic and accuracy testing. But if we had
4 any problems with any of the equipment, they assisted
5 us with that.

6 Q. How so?

7 A. I couldn't hear you.

8 Q. How so? How else did they help with any
9 other equipment?

10 A. I mean, if we have, I guess, a situation
11 where we may have a piece of equipment that is not
12 working properly, our printer may not be able to
13 print, you may have a -- what we call UPS,
14 uninterrupted power source. It may not have been
15 able to come on. We -- we will ask them to help us
16 out in regards to equipment. And also, I mean, if we
17 have -- we were having any problems with any issues
18 with the server, with the election management system,
19 we would -- we would refer to Dominion as far as with
20 that as well.

21 Q. So walk me through how that would happen.
22 How would a Dominion tech -- I'll come back to
23 whether there were any other Dominion workers that
24 helped, but how would any Dominion tech assigned to
25 Fulton County gain access to a component of the

1 election system? Would you first ask Dominion for
2 help? And by "you," I mean Fulton County.

3 A. Yes. We would refer -- ask them for
4 help -- and we would -- we would -- whatever the
5 problem, which piece of equipment that it was
6 involved with, we would show them and give them the
7 access in order to fix it.

8 Q. So absent Fulton County asking for
9 assistance, a Dominion tech would or would not have
10 access to any component of the election system?

11 A. Can you repeat that question?

12 Q. Yes. And I will try to improve it,
13 actually.

14 A. Okay.

15 Q. Unless Fulton County asked for assistance
16 from Dominion, could a Dominion tech access any
17 component of the election system?

18 A. Not without us asking for help.

19 Q. Okay. So a Dominion tech couldn't have
20 seen a problem and decided to fix it of their own
21 volition without Fulton County asking for it first?

22 A. No, not -- no.

23 Q. How do you know that?

24 A. I would know that because I would either
25 have myself or one of the supervisors around the

1 equipment at all times. So that's how I would
2 definitely know that that did not happen.

3 Q. Could an assigned Dominion tech to Fulton
4 County access any of the election system components
5 remotely; that is, without being present in the same
6 space as the equipment in question?

7 A. No, not -- no, not that I'm aware of, no.

8 Q. What about an employer -- employee or
9 contractor of Dominion that was not an assigned tech
10 to Fulton County, would that person have -- is
11 there -- this is a terrible question. I will
12 restart. I apologize.

13 A. Okay.

14 Q. Could a Dominion contractor or an employee
15 that is not one of the assigned techs to Fulton
16 County access any component of the reelection system
17 remotely?

18 A. No. No. No. Never in such a way have we
19 had any of our equipment been able to be accessed
20 remotely, the Dominion System or the system before
21 Dominion.

22 Q. Okay. Are you aware of any instance in
23 which a Dominion contractor or employee has accessed
24 a component of the election system remotely.

25 A. No, I'm not aware of it, no.

1 Q. Is there any reason your knowledge would
2 diverge from that of Fulton County on whose behalf
3 you are testifying today?

4 A. No.

5 Q. Has anyone from Dominion ever represented
6 to Fulton County that they could access any election
7 system component remotely?

8 A. No, not of my knowledge.

9 Q. Okay. And again, is there any reason that
10 your knowledge would diverge from that of Fulton
11 County on whose behalf you are testifying today?

12 A. No.

13 Q. So at some point in your 2020 or 2021
14 elections, is it fair to say that Fulton County told
15 a Dominion tech, Hey, we have got a problem or we
16 have got something broken and we need your help to
17 fix it? That did happen at least once, right?

18 A. Yes, it did.

19 Q. Okay. So procedurally, a Fulton County
20 employee would be with the Dominion tech while that
21 repair was occurring? Is that right?

22 A. Yes. Most definitely, yes.

23 Q. And did -- I'm sorry. I didn't mean to cut
24 you off.

25 A. Yes. Yes, sir. Yes, most definitely.

1 Q. After that happened, did Fulton County have
2 any policy or procedure by which it checked the
3 repaired equipment for proper performance, compliance
4 with election regulations? Put another way, was
5 there any sort of mini acceptance testing that Fulton
6 County implemented after a Dominion tech had repaired
7 the problem?

8 A. No, not to my knowledge. No.

9 Q. Policy or procedure aside, are you aware of
10 any steps that were taken anytime something was
11 repaired to ensure that everything was in good
12 working order?

13 A. I know that we had the Secretary of State
14 come out and do an acceptance test.

15 Q. Are you thinking of an incident in
16 particular?

17 A. Yes, we did have an incident in regards
18 with our server -- our server -- our main server not
19 working correctly.

20 Q. Does this relate to the Exhibit 4 I showed
21 you earlier today?

22 A. No, this is not -- this is not related to
23 that exhibit.

24 Q. Oh. Okay. Can you tell me a little more
25 about that?

1 A. We had -- we had an issue in regards to our
2 server not working properly. I know, you know, we
3 had an issue regards to the server. It was -- it
4 was -- it was not working properly in regards to
5 pulling up the election management system. We had
6 Dominion -- we had a Dominion tech on hand and he
7 alerted Dominion. He alerted Dominion with the type
8 of problem. Dominion took a look at the computer
9 connected to the server, put the election management
10 system on it. Once that was done, we alerted --
11 once -- well, I'm going to put it like this. They
12 tried to -- they tried to fix the election management
13 system on-site. It was not able to be fixed. The
14 Dominion tech -- I guess the tech supervisor asked
15 him to bring the computer to Dominion. Once it was
16 taken to Dominion, it was brought back and once it
17 was hooked back up, working properly via -- asked the
18 center -- center of election systems to come out.
19 And they had to acceptance test our server -- they
20 had to do an acceptance test on our server to make
21 sure everything was working correctly.

22 Q. Did Dominion explain to Fulton what the
23 nature of the problem was?

24 A. I was not -- they did not explain to -- no,
25 I don't think they did. I mean, I was not -- I

1 didn't have any knowledge of that.

2 Q. When was this?

3 A. I couldn't hear you.

4 Q. When was this?

5 A. It was during the -- it was -- it was
6 during one of the primary elections in 2020.

7 Q. When you say "the server," can you be a bit
8 more specific about which server you are describing?

9 A. Well, actually, it was the main server that
10 we have here. And that server is connected to a
11 computer that contains the elections management
12 system on it. And basically that is the same
13 computer that the project, the election projects are
14 uploaded to. It has the election management system
15 on that computer. And it's connected to our server.

16 Q. Thank you. I may come back to that, but
17 for the moment, I'm going to shift gears and ask you
18 to talk a little bit about the vendors for Fulton
19 County that are not Dominion. Just scrolling down in
20 Exhibit 1 with these long ones, I'm trying to keep it
21 up on the screen just so you are -- have some frame
22 of reference. If you find that bothersome, I'm happy
23 to take it down, just let me know.

24 A. Okay.

25 Q. Topic 12 listed in the notice reads, The

1 roles and responsibilities of any vendor other than
2 Dominion with access to BMDs, printers, scanners,
3 Electronic Pollbooks, computers or servers used to
4 administer elections, including tabulating votes in
5 any 2020 and 2021 Fulton County elections, including,
6 a, any oversight such a vendor or its employees
7 exercise over technicians or other election workers
8 in any such election; b, any access such as a vendor
9 or its employees had to any components of the
10 Election System or Electronic Pollbooks used in any
11 such election after Fulton County took possession of
12 the components, whether (and, if so, how and by whom)
13 that access was exercised by the vendor and the
14 reasons for gaining such access; c, any changes such
15 a vendor or its employees made to any component of
16 the election system (including any software, firmware
17 or data on the equipment) or Electronic Pollbooks
18 used in any such election after Fulton County took
19 possession of the components, including how, when,
20 why and by whom new such changes were made.
21 Notwithstanding the couple of typos I see in there,
22 did I read it correctly?

23 A. You read it correctly.

24 Q. Do I understand correctly that you
25 understand you are designated to testify as to topic

1 12 on behalf of Fulton County today?

2 A. Yes.

3 Q. All right. So tell me what, if any,
4 research you did to testify about topic 12?

5 A. None.

6 Q. Did you review any documents to prepare to
7 testify about this topic?

8 A. No.

9 Q. Whom did you talk to about this topic to
10 prepare to testify about it?

11 A. No -- I talked to Mr. Olomo, Ms. Williams,
12 and the county attorney.

13 Q. And those were the two sessions we talked
14 about earlier in this deposition?

15 A. Yes.

16 Q. Did you speak to anyone else?

17 A. No.

18 Q. And are you relying on any other sources
19 for your testimony about topic 12 today?

20 A. No.

21 Q. Does Fulton County work with a vendor
22 called KNOWiNK, K-n-o-w-i-n-k?

23 A. Yes, we do.

24 Q. Okay. And what is KNOWINK's role in Fulton
25 County elections? In 2020 and 2021 and going

1 forward?

2 A. KNOWiNK, they are a vendor in which we
3 receive the electronic pollbooks or what we call the
4 poll pads from. Basically these poll pads are used
5 to create -- create voter cards used -- or create
6 voter cards that are given to the voters to use to
7 vote. Also, these poll pads for election day have
8 the data for each and every voter of the county --
9 well, actually, for each and every voter of the State
10 of Georgia.

11 Q. I heard some excess noise in the
12 background. I didn't know if you were done with your
13 question.

14 A. Yes, I was done. I was done.

15 Q. I'm trying to think of a diplomatic way to
16 ask this question.

17 Has Fulton County run into any problems
18 working with KNOWiNK to administer its elections in
19 the last couple of years?

20 A. No, not that I can think of. Not to my
21 knowledge.

22 Q. What about with the poll pads specifically,
23 has Fulton County had any problems programming or
24 deploying them in administering elections over the
25 past couple of years?

1 A. Only thing I can think of is that we had a
2 problem at an early voting site as far as our poll
3 pads were not working properly at one of our early
4 voting sites for the first day of November 2020.
5 KNOWiNK came out and they -- they were able to fix it
6 very quickly.

7 Q. So does KNOWiNK deploy technicians to
8 Fulton County as well for these elections?

9 A. Yes, they do.

10 Q. And similar to our discussion about
11 Dominion just now, do KNOWiNK technicians have any
12 access to components of the election system, such as
13 poll pads, without Fulton County expressly asking for
14 their assistance?

15 A. Yes, they do.

16 Q. They do?

17 A. As far as they're -- but we do have staff
18 on hand that work hand in hand with KNOWiNK. I mean,
19 not as far as working by themselves.

20 Q. So is this a situation where KNOWiNK
21 technicians fix problems when they spot them or do
22 they come in to fix problems when Fulton County asks
23 for assistance or is it some combination of those two
24 things?

25 A. It's some combination of those two things

1 because they are working hand in hand with the
2 Secretary of State, especially on election day
3 because they may get -- they may get a notice from
4 Secretary of State that a poll pad is down. And they
5 have technicians on hand that may go and fix it.
6 That's the only situation I can think of where they
7 are fixing problems as far as without the
8 notification of the county.

9 Q. So how does that work exactly? Does -- and
10 by that, I mean does a KNOWiNK technician assigned to
11 Fulton County need physical access to an election
12 system component, be it an electronic pollbook or
13 poll pad or a server of some sort in order to address
14 any concern?

15 A. They would never need access to the server.
16 They would have to ask for access to a poll -- to a
17 pollbook, a poll pad. They -- I mean, once poll pads
18 are out for an election, they are able to see at --
19 in conjunction with the Secretary of State, they are
20 able to see if the poll pads are working correctly or
21 not. We at the county, from my recollection, any
22 county does not have access to that.

23 Q. During advanced voting, poll pads are
24 connected to some form of the internet, be it
25 wireless or otherwise, right?

1 A. No, poll pads are not -- they are never
2 connected to the internet for advanced voting. For
3 advanced voting, they do not have the registration
4 voter file on them.

5 Q. Well, thank you for clarifying. During
6 advanced voting, there is some sort of check-in
7 system --

8 A. Yes.

9 Q. -- that voters use to check in, correct?

10 A. Yes, they use -- they use the state system
11 in order to check in voters. And once they check in
12 voters, then they just -- then they can create a card
13 on the poll pad.

14 Q. Okay. What am I thinking of that Fulton
15 County used to check in voters during advanced
16 voting?

17 A. It is called ElectionNet, the state voter
18 registration system.

19 Q. Yes. I understand ElectionNet. I suppose
20 I'm thinking of the physical check-in computer or
21 tablet-like device?

22 A. Well, they -- ElectionNet is on laptops,
23 which are connected to some form of internet access.

24 Q. Okay.

25 A. To WiFi network connection.

1 Q. Okay. Thank you. I appreciate your
2 clarifying that for me.

3 So KNOWiNK technicians wouldn't have any
4 cause to prepare or address problems on those laptops
5 during advanced voting, is that --

6 A. No.

7 Q. -- an accurate statement?

8 A. No, they wouldn't. No, they wouldn't have
9 any -- any reason to -- to do that.

10 Q. But if there were a problem with the poll
11 pad device specifically, that's where they would have
12 some authority to intervene, if requested?

13 A. Yes.

14 Q. Okay. What other vendors does Fulton
15 County work with to administer elections in 2020,
16 2021 or currently?

17 A. No other vendors of my knowledge.

18 Q. Just Dominion and KNOWiNK?

19 A. Yes.

20 Q. And how does Fulton County monitor any
21 changes or repairs that KNOWiNK makes to components
22 of the election system?

23 A. Well, I would change -- changes that is
24 already been approved by the Secretary of State. I
25 mean, only other -- only other changes will be if we

1 have a broken poll pad that we sent to be repaired
2 and then that has to be acceptance tested by the
3 Secretary of State before it can be used.

4 Q. So it's fair to say that Fulton County
5 takes its direction from the Secretary of State with
6 regards to KNOWiNK and poll pads?

7 A. Yes.

8 Q. Are there any other examples or are there
9 any other forms of access that vendors other than
10 Dominion would have to portions of Georgia's current
11 election system as used by Fulton County?

12 A. No, not to my knowledge.

13 Q. Mr. Gilstrap, I want to skip now to topic
14 15. Topic 15, as noticed, reads, Any vulnerabilities
15 involving the security, integrity, reliability or
16 accuracy of Georgia's current election system as used
17 in Fulton County, including, a, potential or actual
18 remote access to any component of Georgia's current
19 Election System; b, policies and practices regarding
20 securing components of Georgia's current Election
21 System, including but not limited to removable media
22 used with the system (and any other equipment or
23 devices used with any such media) and equipment
24 stored overnight in early voting places; c, wireless
25 connections involving any components of Georgia's

1 current Election System, including Electronic
2 Pollbooks. Did I read that right?

3 A. Yes, you did.

4 Q. Do you understand yourself to have been
5 designated to testify about topic 15 on behalf of
6 Fulton County today?

7 A. Yes.

8 Q. So a checklist. Tell me what, if any,
9 research you have done about this topic to prepare to
10 testify about topic 15 today?

11 A. None.

12 Q. Did you review any documents to prepare to
13 testify about topic 15 today?

14 A. No.

15 Q. Did you speak with anyone to prepare to
16 testify about topic 15 today?

17 A. Yes.

18 Q. Was that Mr. Olomo, Ms. Williams and county
19 attorney?

20 A. Yes.

21 Q. Was that only in the two sessions that we
22 have already discussed in your prior testimony today?

23 A. Yes, it was.

24 Q. Did you speak with anyone else to prepare
25 to testify about topic 15?

1 A. No.

2 Q. Are you relying on any other sources for
3 your testimony about topic 15?

4 A. No.

5 Q. And I can see in reading topic 15, that it
6 mentions removable media used with the system in
7 subsection b, wireless connections involving any
8 components of the election system in subsection c.
9 And we have touched on these topics a little bit
10 already today. Is that right?

11 A. Yes, we have.

12 Q. Okay. I'll try not to plow too much in the
13 way of new earth then, but I do have a few questions
14 here. So first off, tell me about any
15 vulnerabilities which Fulton County is aware
16 involving the security, integrity, reliability or
17 accuracy of Georgia's current Election System as used
18 in Fulton County. What do you know?

19 A. I don't know of any. None, to my
20 knowledge.

21 Q. Are you familiar with a term "cyber attack
22 vulnerable"?

23 A. A little.

24 Q. What do you know about it?

25 A. I'm thinking cyber attack, I'm thinking

1 it's connected to internet, that it's been a form of
2 hacking, hacking into a system.

3 Q. Okay. And I mean, are you aware of any
4 actual hacks into the Georgia election system as used
5 in Fulton County?

6 A. No.

7 Q. Are you aware of any actual hacks into the
8 Georgia election system outside of Fulton County?

9 A. No. Not to my knowledge.

10 Q. What do you know about remote access to
11 Georgia's election system generally? I know we have
12 talked about it a little bit in the context of
13 vendors. But more broadly speaking, what can you
14 tell me about remote access capability to Georgia's
15 election system components?

16 A. I don't know of any -- I don't know of
17 anything about any remote access. Only thing I know
18 is that you can't remote access if you are not
19 connected. So that's -- you know, that's --
20 that's -- like I was saying before, that's state
21 policy. That's policy --

22 Q. I'm sorry. I couldn't hear you.

23 A. I said, you know, I just know with -- all I
24 know -- I said nothing from my knowledge, the only
25 thing I can say is that -- that I know that you can't

1 remote access if you are not connected to the
2 network. And that's the state policy, that -- that
3 the voting equipment is connected. So I don't know
4 anything in regards to remote access and connection
5 equipment of election system.

6 Q. But as we have discussed, there are various
7 types of removable media that are used with
8 components in Georgia's election system in the
9 ordinary functioning of that system, correct?

10 A. Correct.

11 Q. Okay. What can you tell me about security
12 policies and practices concerning the storage of
13 equipment? Let's start with the Fulton County
14 warehouse. Does Fulton County have a policy to
15 secure equipment in the warehouse?

16 A. Yes. I'm --

17 Q. I'm not asking you for the details of the
18 policy right now, to be clear. I'm just asking
19 whether there is a policy.

20 A. I'm not -- I'm not -- I don't know about as
21 far as what the policy, but I know that we could
22 definitely secure -- according to the Election Code,
23 we secure all of our equipment, our equipment is
24 secured and it's secured by alarm.

25 Q. Okay. What about policies and practices

1 securing components of the election system when they
2 are stored overnight at early voting locations? Are
3 there policies that Fulton County uses to secure that
4 equipment?

5 A. To be honest, beyond the policy that I'm
6 aware of in regards to storing equipment overnight in
7 the early voting polling places, would be making sure
8 the equipment is locked, making sure that it is --
9 all equipment is sealed. Each and every night after
10 early voting site is closed, it is required that they
11 seal all equipment. That's --

12 Q. Mr. Gilstrap, I'm sorry I interrupted you.
13 Please continue.

14 A. I was just going to say that's all I have.

15 Q. Mr. Gilstrap, in preparing for your
16 testimony and in preparing for your testimony today,
17 have you read any of the expert reports filed in this
18 litigation?

19 A. No, I haven't.

20 Q. Are you familiar with Dr. Alex Halderman?

21 A. Not really. No, I'm trying to think if I
22 heard that name.

23 Q. So you have heard the name, but you
24 wouldn't say you are familiar with it?

25 A. I'm not familiar. I'm definitely not

1 familiar.

2 Q. Okay. Are you aware he's been hired as an
3 expert on election security by the -- some of the
4 plaintiffs in this case?

5 A. No, I'm not.

6 Q. Okay. So are you aware that he's analyzed
7 voting equipment that's used in Georgia elections,
8 and specifically I'm talking about the ICX electronic
9 ballot-marking device and ICP scanner and the printer
10 that's used in Georgia's elections to assess its
11 reliability and security?

12 A. No, I'm not aware of that.

13 Q. Does Fulton County have the responsibility
14 to address cyber attack vulnerabilities were they to
15 be discovered in Georgia's election system
16 components?

17 A. I'm pretty sure that we would notify the
18 Secretary of State if something like that happened.
19 That's the only thing that I could -- I could think
20 of that would happen. If we had any inkling of a
21 cyber attack or any type of vulnerability, that we
22 would notify the Secretary of State and follow their
23 lead in regards to that.

24 Q. So given that, does Fulton County have the
25 authority to seek out cyber attack vulnerabilities

1 that may be present in the Georgia election system?

2 A. I don't know about that. I couldn't answer
3 that question. I don't know if they have the
4 authority or not.

5 Q. Okay. So given that you are saying that
6 Fulton would -- let me back up.

7 Is it fair to say that Fulton County relies
8 on the Georgia --

9 MR. SPARKS: I'm sorry, I'm hearing -- is
10 someone objecting or asking a question?

11 THE WITNESS: No, it's my phone.

12 MR. SPARKS: Okay.

13 MS. RINGER: Derrick, could you turn the
14 volume off or whatever you had done earlier so
15 you wouldn't be disturbed.

16 THE WITNESS: Yes. We had power outage and
17 my phone, the voice command on my phone is -- it
18 comes on now and they cannot fix it. I'm sorry
19 about that.

20 MR. SPARKS: That's okay. These things
21 happen.

22 Q. (By Mr. Sparks) So do I understand that
23 Fulton County would notify the Secretary of State's
24 Office if it became aware of a cyber attack
25 vulnerability? You understand that, right?

1 A. Yes, I'm pretty sure. But like I say, I
2 have no knowledge of that because we have never -- I
3 have never -- we never had that situation.

4 Q. Okay. But does Fulton County look for
5 cyber attack vulnerabilities in Georgia's election
6 system components as they are used in Fulton County?

7 A. No, not -- not -- no.

8 Q. So they look for -- I'm sorry, go ahead.

9 A. I said no, not to my knowledge. No.

10 Q. Okay. So regarding cyber attack
11 vulnerabilities, Fulton County looks to Georgia
12 Secretary of State's Office for guidance? Is that
13 right?

14 A. Yes, we do.

15 Q. And they would look to the Secretary of
16 State's Office for guidance on implementing any
17 measures that were necessary to address cyber attack
18 vulnerabilities in Georgia's election system. Is
19 that also right?

20 A. Yes.

21 Q. Okay. And to be clear with the disturbance
22 earlier, Fulton County has not assessed or examined
23 the Georgia election system for cyber attack
24 vulnerabilities. Is that a correct statement?

25 A. Yes.

1 Q. And it follows that Fulton County is not
2 taking any measures to eliminate or remediate any
3 cyber attack vulnerabilities in the Georgia election
4 system. Is that also right?

5 A. I think -- I mean, yes, that's correct. I
6 mean, we -- yes.

7 Q. So if there were a significant
8 vulnerability that were discovered, say, for example,
9 that a BMD could be hacked in a way to alter QR codes
10 so they don't reflect what the voter actually says,
11 you would look to the Secretary of State's Office for
12 guidance on that?

13 A. Yes, most definitely.

14 Q. And you would look to the Secretary of
15 State's Office to remediate that vulnerability. Is
16 that also right?

17 A. Yes.

18 Q. Regarding wireless connections involving
19 components of Georgia's current election system, are
20 you aware of any vulnerabilities related to
21 low-security WiFi and how they affect those
22 components generally?

23 A. With the KNOWiNK poll pads, we do have to
24 upload the file via WiFi. By being a statewide voter
25 registration file, it is a pretty big file. Only

1 thing I can say is that it takes -- it takes quite a
2 while to download each and every poll pad. But other
3 than that, that's the only thing that we would have a
4 wireless connection.

5 Q. With regard to that process regarding the
6 downloading file for the poll pads, are you aware of
7 any service security vulnerabilities related to that
8 process?

9 A. I'm not aware of any. No, I'm not aware of
10 any.

11 Q. Do you know who Angelos Keromytis is?

12 A. No, I don't.

13 Q. Is Fulton County aware of claims that
14 someone made a successful hacking attempt into Fulton
15 County voting machines via remote WiFi towards the
16 end of 2020?

17 A. No, I don't know any -- I don't have any
18 knowledge on that. I don't know anything about that.

19 Q. Are you aware of any other claims of access
20 to Georgia election system components as used in
21 Fulton County via wireless access?

22 A. No.

23 Q. Mr. Gilstrap, I'm going to back up for a
24 moment and ask you to, if you are so designated, to
25 talk about topic 13. I have just scrolled on

1 Exhibit 1, which is still on the screen, to topic 13,
2 which reads, Policies and practices for hiring,
3 training and overseeing technicians and other
4 election workers, including volunteers for 2020 and
5 2221 Fulton County elections, including regarding any
6 background checks, confidentiality requirements or
7 other security measures implemented or contemplated
8 for any such workers. Did I read that right?

9 A. Yes, you did.

10 Q. Do you understand that you have been
11 designated to testify about topic 13 on behalf of
12 Fulton County today?

13 A. Yes.

14 Q. What research, if any, did you do to
15 prepare to testify about topic 13 today?

16 A. None.

17 Q. Did you review any documents to prepare to
18 testify about this topic?

19 A. No.

20 Q. Did you also speak with Mr. Olomo,
21 Ms. Williams and the county attorney in preparation
22 to testify about topic 13?

23 A. Yes, I did.

24 Q. The same two sessions that we have
25 discussed earlier today?

1 A. Yes.

2 Q. Did you speak to anyone else?

3 A. No.

4 Q. Are you relying on any other sources for
5 your testimony about topic 13 today?

6 A. No.

7 Q. Fulton County has -- let me just ask. Does
8 Fulton County have policies and procedures for how to
9 train election employees it hires on a permanent
10 basis?

11 A. I don't know about the policies. I know
12 that we provide training.

13 Q. Okay. And does Fulton County provide
14 training for temporary and part-time workers that it
15 hires for election administration?

16 A. Yes.

17 Q. What about for volunteers, does it provide
18 training for them as well?

19 A. I don't -- I don't -- I can't answer that
20 question. I don't know -- I don't know the answer to
21 that question. I have -- I don't work with the
22 volunteers.

23 Q. What can you tell me about what Fulton
24 County does to train its election workers, be they
25 permanent or temporary?

1 A. We have -- we have trained -- we provide
2 training in regards to what they are -- like for
3 workers, whatever they are -- whatever they are hired
4 to do, we provide the training to show them the
5 process. And then for poll workers, we have poll
6 worker training where we go through the step-by-step
7 process for what they need to do on election day or
8 for early voting.

9 Q. Well, tell me about poll worker training a
10 little bit. Are they trained for both early or
11 advanced voting and for election day voting at the
12 same time?

13 A. No, they are not. Advanced voting
14 trainings is a different training than election day
15 poll worker training.

16 Q. Are they separate polls for the most part
17 or is there some overlap between those two groups?

18 A. Can you repeat that?

19 Q. Sure. If the training is different, I'm
20 wondering if the workers assigned to advanced voting
21 versus election day voting to administer the
22 election, if those are two separate pools of
23 employees or if it's all one big group and they just
24 have two sets of training or if there's some overlap,
25 then there's some folks who just do election day or

1 maybe some folks who just do advanced voting. If you
2 can tell me how that lines up, and you can use 2020
3 and 2021 examples, if you like.

4 A. Well, I don't know about that. That would
5 be more of a question for the election chief, Nadine
6 Williams. I am not -- I am not that extensively
7 involved in the poll worker training. We just would
8 buy equipment, if needed.

9 Q. What's the most important thing to Fulton
10 County in training its election workers?

11 A. I mean, as far as -- I mean, it would more
12 than likely be procedures in which to do the job that
13 they are brought on to do.

14 Q. And how does Fulton County accomplish that?
15 Or to be fair, how does Fulton County seek to
16 accomplish that?

17 A. They provide training for each and every
18 worker, extensive training.

19 Q. What about required background checks, are
20 there any currently in place for Fulton County prior
21 to hiring?

22 A. Where we are -- when we are -- we are --

23 MS. RINGER: Hold on a second. Adam, can
24 you clarify which subject are you questioning?

25 MR. SPARKS: Yes, I'm asking about topic

1 13. Would it help to pull up the notice again?

2 MS. RINGER: I have it. I'm just --

3 MR. SPARKS: Okay. Sure.

4 MS. RINGER: Okay. Okay.

5 MR. SPARKS: So --

6 MS. RINGER: Yes. Our designation for
7 Mr. Gilstrap with respect to this was really
8 with respect to technicians.

9 MR. SPARKS: Oh, okay.

10 MS. RINGER: He's referred you to Ms.
11 Nadine Williams, who is the elections chief on a
12 couple occasions. Just not sure the degree to
13 which he might be able to speak to some of this.
14 Go ahead with your questioning.

15 MR. SPARKS: Well, sure. Well, given that,
16 why don't we talk about technicians now and then
17 we will take a break, and then you and I can
18 discuss in a little more detail.

19 Q. (By Mr. Sparks) Mr. Gilstrap, let me ask
20 you, what does Fulton County do regarding background
21 checks for election technicians that are assigned to
22 it by outside vendors or otherwise employed by Fulton
23 County elections?

24 A. Well, what we do is we provide the vendors
25 our requirements in regards to skills, in regards to

1 experience. As far as with the background checks,
2 that -- those -- all of that is provided by the
3 outside vendors. That's all I can basically tell you
4 in regards to that.

5 Q. Okay. So just so I understand, which parts
6 do Fulton County -- which parts do Fulton County do
7 on its own and which parts does Fulton County refer
8 to the vendors on?

9 A. Basically we provide what our needs are to
10 the outside vendors and then they handle all of the
11 background checks, the human resources aspects of it.
12 You know, we just want -- we just give them: We need
13 technicians that are skilled in certain areas that
14 have a certain amount of experience, and then they
15 take care of the rest.

16 Q. And does Fulton County take any independent
17 measures to ensure the security of its election
18 system equipment and data above and beyond whatever
19 the vendors do?

20 A. No, I mean, the only thing, they know
21 the -- once they begin work with us, they know the
22 policy of the Secretary of State in regards to as far
23 as with security and quality and that aspect.

24 Q. Has Fulton County ever experienced a
25 problem with a technician either revealing

1 information or data that they shouldn't or otherwise
2 proving ill fitting for the job to which they were
3 assigned?

4 A. From technician side, I have no knowledge
5 of that. I have no knowledge of anyone -- that --

6 MR. SPARKS: May be a good signal it's good
7 for a break.

8 THE WITNESS: I'm sorry. I turned the
9 volume all the way down and it's still talking.

10 MR. SPARKS: That's okay. Can we go off
11 the record, please?

12 THE VIDEOGRAPHER: The time is 3:34 p.m.
13 We are off the record.

14 (WHEREUPON, a recess was taken.).

15 THE VIDEOGRAPHER: The time is 3:48 p.m.
16 We are on the record.

17 Q. (By Mr. Sparks) Mr. Gilstrap, I wanted to
18 ask you about topic 14 now. If you will give me a
19 moment, I'll try to pull up the notice again. This,
20 hopefully, disappeared from my screen. All right.
21 Can you see that, the exhibit on my screen?

22 A. Yes.

23 Q. Okay. This is still Exhibit 1, the Third
24 Amended Notice of Deposition. Topic 14 reads,
25 "Policies and practices for scanning and tabulating

1 paper ballots, specifically, a, functionality and
2 operation (including equipment settings) of Georgia's
3 current Election System as used in Fulton County
4 (including software and firmware) for scanning paper
5 ballots, whether generated by BMD or marked by hand
6 or some other means; b, functionality and operation
7 of Georgia's current Election System as used in
8 Fulton County, including software and firmware for
9 adjudicating marks on paper ballots for tabulation;
10 c, any policies and practices contemplated or adopted
11 to try to ensure accurate tabulation of voter
12 selections reflected on paper ballots; d, training
13 and oversight of technicians and other election
14 workers and/or counties on such policies, practices
15 and equipment," did I read that correctly?

16 A. Yes, you did.

17 Q. All right. And do you understand yourself
18 to be designated to testify on behalf of Fulton
19 County for topic 14?

20 A. Yes.

21 Q. Okay. A follow-up to that, given your
22 counsel's prior representation about who trains
23 nontechnician election workers, does that part of
24 topic 14 also fall within your designation or would
25 that fall under another designated component?

1 A. You are talking about training
2 nontechnician?

3 Q. Training election technicians, I
4 understand, would fall within your designation?

5 A. Yes, it would.

6 Q. Okay. Training other election workers?

7 MS. RINGER: Right.

8 Q. (By Mr. Sparks) Does that fall within your
9 designation as well or within someone else?

10 A. Someone else.

11 Q. Okay. I will presume unless your attorney,
12 the county attorney, corrects me that that someone
13 else is Ms. Williams and training with regard to
14 election workers that are not technicians would fall
15 within her designation for purposes of topics 13 and
16 14.

17 MR. SPARKS: Counsel is nodding, which I
18 presume means it's at least in the ballpark of
19 correct?

20 MS. RINGER: That's correct. I'm making a
21 note for myself.

22 MR. SPARKS: All right. Great. Thank you.
23 Thank you both.

24 Q. (By Mr. Sparks) So let's talk about
25 technician training, Mr. Gilstrap. You have already

1 talked a bit about the vetting process that they go
2 through in topic 13, but what training do election
3 technicians receive from Fulton County, if any?

4 A. Well, for training election technicians, we
5 train them on the functionality of the equipment. We
6 train them on the L&A, logic and accuracy testing,
7 and the procedures that are provided by the Secretary
8 of State. And basically they are also trained on as
9 far as how to close out, the opening and closing of
10 the equipment for troubleshooting purposes on
11 election day and early voting.

12 Q. Okay. Anything else?

13 A. No.

14 Q. And I had previously understood you to say
15 that technicians for Dominion and KNOWiNK were
16 present to assist with repairing problems that arose,
17 and there were some differences there that I won't
18 parse right now. But I had understood that they were
19 on call to assist with problems in the components in
20 the election system. Do I understand you correctly
21 to say that they were also trained on how to operate
22 the equipment during elections or am I
23 misunderstanding what you are saying?

24 A. Well, they were not trained by Fulton
25 County. They were trained by their vendors. So I

1 couldn't talk about what they were trained on. I
2 know that they were trained to handle issues that
3 come up in regards to the equipment, all voting
4 equipment.

5 Q. Okay. So you are saying that the training
6 was actually done by vendors but Fulton County could
7 see that it had been done because they were able to
8 resolve problems with scanning and tabulating paper
9 ballots. Is that a fair encapsulation?

10 A. That is a fair -- that is correct.

11 Q. Did Fulton County contribute to how they
12 were trained or what they learned about the equipment
13 from the vendors themselves?

14 A. No, we didn't have any contribution in how
15 they were trained or how they learned.

16 Q. Walk me through -- let's start at a
17 high-level generality. Walk me through how paper
18 ballots are scanned in Fulton County elections. If
19 you need to separate it by electronic BMD ballots and
20 hand-marked paper ballots, that's fine. If you need
21 to separate it by elections within a given year,
22 that's also fine. But at a general level, walk me
23 through how that works.

24 A. Okay. Now, as far as BMD ballots, those
25 ballots are scanned using RCA scanning -- it's

1 scanned by RCA scanners that are basically at the
2 precinct or polling location. Once a voter makes the
3 selections on the ballot-marking device, it prints
4 out a ballot on our -- from the printer that is
5 connected to that ballot-marking device, BMD, and
6 then that ballot is taken -- it's taken to the
7 scanner by the voter and inserted into the scanner by
8 the voter and that's how those ballots are scanned.
9 And as far as absentee-by-mail ballots, those are
10 scanned through a high-speed scanner. And those
11 are -- our technicians are -- do not scan those
12 ballots. Those are basically scanned by -- the
13 absentee by mail, by the registration office. And
14 those are scanned through a high-speed scanner and
15 once those ballots are scanned, they are basically --
16 it's basically -- basically taken from that. It's
17 a -- we have a -- a high-speed scanner is connected
18 to a PC whereby you will be able to see the ballots
19 being scanned. Once all the ballots are scanned from
20 that scanner, we upload from that PC using -- using a
21 USB that had -- that had been programmed to that
22 scanner. And that USB is taken to our server and
23 that's when the results are uploaded and tabulated.

24 Q. Okay. I apologize, there are sirens
25 outside our window. So I think I heard most of that.

1 Discussing the scanning of the BMD ballots,
2 in particular, are there standard equipment settings
3 for the scanners in use in polling places in Georgia?

4 A. I mean, yes, they are -- all scanners
5 are -- all scanners are -- basically have the same
6 settings except for with the memory card inside the
7 scanners, they are -- that's the only difference.
8 The election meeting inside the scanner, they are set
9 to their specific polling location.

10 Q. And how are the scanning settings
11 themselves determined for these scanners?

12 A. These -- the scanner settings are already
13 set inside the scanner. Once they do acceptance
14 testing, we do not change the setting. Mainly what
15 we do is we make sure that the time is correct, if
16 not, we change the time. But other than that, all
17 the settings have already been pre-selected.

18 Q. I thought I heard you say we do not manage
19 the scanner. Did I hear that correctly?

20 A. No, I didn't say that.

21 Q. So who determines what the settings should
22 be -- let me start back.

23 Let me move to vote-by-mail ballots for a
24 minute because I think that makes a little more
25 intuitive sense. Now, how are those settings

1 established, the high-speed scanners that scan
2 hand-marked paper ballots that come in through
3 absentee voting?

4 A. Those settings are established through the
5 Secretary of State. The standard procedure that we
6 do for logic and accuracy for the other equipment, we
7 also do for the high-speed scanner.

8 Q. So those settings are checked and
9 established during the logic and accuracy process --

10 A. Yes, they are.

11 Q. -- is that correct? And those settings are
12 determined centrally by the Secretary of State's
13 Office. Is that right?

14 A. Yes, yes, they are.

15 Q. Okay. Does Fulton County have any
16 troubleshooting policies or other policies to address
17 problems in scanning paper ballots?

18 A. We don't have our own policies. We go by
19 the policies of the Secretary of State.

20 Q. So Fulton doesn't have anything of its own
21 that it directs its workers or technicians to do if
22 there's a problem, but, rather, it relies on policies
23 obtained from Georgia Secretary of State's Office?

24 A. Yes, we rely on the policies obtained from
25 Georgia Secretary of State's Office.

1 Q. What about when it comes to tabulation of
2 ballots after the scanning process? We talked a
3 little bit about tabulation earlier, but I would like
4 to ask whether there are any policies or practices
5 adopted by Fulton County to try to secure accuracy in
6 the tabulation?

7 A. There's no policies that I'm aware of. For
8 that as well, we rely on the Secretary of State in
9 regards to their policies.

10 Q. Is there anything specific to Fulton County
11 that Fulton County uses to ensure accurate
12 tabulation?

13 A. Nothing that's not where -- as far as what
14 the Secretary of State wants us to do. Nothing
15 specific, just for Fulton County, no.

16 Q. Well, I ask because you mentioned a
17 spreadsheet earlier that it sounds as though Fulton
18 County had developed to ensure that all of the memory
19 cards that should be included in tabulation were.
20 But that was not provided by the Dominion-provided
21 iteration of the election management system. Am I
22 remembering that correctly?

23 A. Yes, you are.

24 Q. Okay. Do you consider that a practice that
25 was adopted to try to ensure accurate tabulation?

1 A. Yes, I am -- I do. I do consider that a
2 practice that we use to make sure that all memory
3 cards are tabulated from election day, yes.

4 Q. Okay. Is there anything else like that
5 that Fulton County has done to ensure accurate
6 tabulation of results?

7 A. No. Not that I'm aware of.

8 Q. Okay. What about the way that Georgia's
9 election system is used in Fulton County, can you
10 tell me about how that practice functions for
11 adjudicating ballots that go through the panel
12 adjudication process tabulation?

13 That's not a very good question. Let me
14 try a different one.

15 Can you walk me through how Fulton County
16 adjudicates paper ballots when required?

17 A. Okay. Okay. If we have paper ballots
18 that -- well, the adjudication process is basically
19 we scan all paper ballots through our high speed
20 scanner. If ballots are located that they are not
21 read in any type of way or the State, I guess,
22 determines the level of -- of, I guess, accuracy or
23 adjudication in regards to if a ballot is being read
24 correctly or not.

25 Once we upload the ballots to our server,

1 we upload through the adjudication part of the
2 election management system. All ballots that are
3 determined that needs to be adjudicated are selected
4 and those are the ballots that we adjudicate using a
5 selected vote review panel. I cannot tell you how
6 the vote review panel is selected. That would be a
7 question of our -- that you can ask our election
8 chief. He has that responsibility.

9 Q. Sure. And I'm actually asking more about
10 the technical side of things.

11 A. Okay.

12 Q. I understand.

13 A. Okay. Once the ballots are -- once all
14 ballots are uploaded and the ballots are selected to
15 be adjudicated, then we have the adjudicated process
16 where we have a vote review panel that comes in and
17 takes a look at those ballots and determine whether
18 they can be accepted or not accepted. And if they
19 are accepted, then they are, I guess, added into --
20 they are added into a -- the tabulation.

21 Q. And the setting for determining which
22 ballots need to go through an adjudication panel,
23 those are determined at Fulton County or by the
24 Georgia Secretary of State or by some other party?

25 A. The degree -- I know from adjudication

1 training is we was told that it was determined by the
2 Secretary of State.

3 Q. And it follows, as with the prior testimony
4 in this topic, that the Secretary of State-determined
5 settings for the machines is implemented through
6 logic and accuracy testing for the scanners. Is that
7 right?

8 A. Yes.

9 Q. That was a bit convoluted. Thank you for
10 staying with me.

11 Mr. Gilstrap, I don't think I went through
12 our litany on topic 14. So if you will indulge me,
13 I'm going to do that really quickly. If we are doing
14 it twice, then I apologize to you, the court reporter
15 and our audience here today. Can you tell me what
16 research you have done to testify in preparation to
17 discuss topic 14 today?

18 A. None.

19 Q. And what documents did you review, if any,
20 to prepare to testify on this topic?

21 A. No documents.

22 Q. Did you speak with anyone to prepare to
23 testify on topic 14?

24 A. Yes.

25 Q. Was that Mr. Olomo, Ms. Williams and the

1 county attorney?

2 A. Yes.

3 Q. And those were the two sessions that we
4 talked about throughout today?

5 A. Yes.

6 Q. Are there any other sources on which you're
7 relying for your testimony about topic 14?

8 A. No.

9 Q. I'm going to scroll down a couple of topics
10 here. So let's talk about topic 16. Topic 16 of the
11 notice reads, "Voting data from Fulton County for
12 2020 or 2021 elections or copies or images of voting
13 equipment used in Fulton County for 2020 or 2021
14 elections taken or received by third parties, the
15 location or locations of any such information or
16 materials, and your response to any such incident.
17 Did I read that right?

18 A. Yes.

19 Q. And I understand from discussions with your
20 counsel that you are now designated to testify about
21 topic 16 on behalf of Fulton County. Do I understand
22 that correctly?

23 A. Yes.

24 Q. Okay. What research, if any, have you done
25 to prepare to testify about topic 16 today?

1 A. None.

2 Q. Did you review any documents to prepare to
3 testify about this topic?

4 A. No.

5 Q. Did you also speak with Mr. Olomo,
6 Ms. Williams and the county attorney to prepare to
7 testify about topic 16?

8 A. Yes.

9 Q. And those were the two sessions that we
10 have discussed throughout the day?

11 A. Yes.

12 Q. Did you speak with anyone else to prepare
13 to testify about topic 16?

14 A. No.

15 Q. Are you relying on any other sources for
16 your testimony about topic 16?

17 A. No.

18 Q. Do you know of any voting data, copies or
19 images of voting equipment used in Fulton County for
20 2020 and 2021 elections that was taken or received by
21 third parties?

22 A. No, not to my knowledge.

23 Q. Had a third party taken copies or images of
24 voting equipment used in those elections or voting
25 data in those elections, would that be a concern to

1 Fulton County?

2 A. Yes, I would think so.

3 Q. And why would you think so -- excuse me,
4 why would Fulton County think so? Is a better way.

5 A. I mean -- I mean, any -- I mean, as far as
6 personally, any data -- I mean, I'm -- I just believe
7 that all data -- all data, it should be discreet and
8 secure, I mean, unless it is authorized to be given.

9 Q. If a third party took or received data or
10 copies or images of equipment as described in this
11 topic, would that violate cybersecurity policies that
12 Fulton County uses in its elections?

13 A. I don't know. I can't answer that. I
14 have -- I have no knowledge of that. I can't answer
15 that.

16 Q. Is that because Fulton County follows
17 Secretary of State guidance on such security
18 policies?

19 A. Yes, I mean, yes, we -- definitely, we
20 would follow -- we would alert Secretary of State and
21 follow their -- their response to that.

22 Q. And I understand you to say that you are
23 not aware of any such incidents as described here.
24 Am I understanding correctly?

25 A. Yes.

1 Q. Okay. My next question is a little
2 different. Is Fulton County aware of even the
3 potential incidence that anything like this has
4 occurred to whence voting data, copies or images of
5 voting equipment that's being taken or received by
6 third parties?

7 A. No, I have no knowledge of it.

8 Q. And there's no reason that your knowledge
9 would diverge from that of Fulton County concerning
10 your testimony today, correct?

11 A. Correct.

12 Q. Topic 17 is just below topic 16 in this
13 notice, and topic 17 reads, Any changes to any
14 software or firmware used on any component of
15 Georgia's current Election System as used in Fulton
16 County since September 1, 2020, including when, how,
17 why and by whom any such changes were made and
18 approved. Did I read that correctly?

19 A. Yes, you did.

20 Q. And do you understand yourself to be
21 designated to testify as to topic 17 on behalf of
22 Fulton County today?

23 A. Yes.

24 Q. Mr. Gilstrap, did you do any research to
25 prepare to testify on topic 17 today?

1 A. No.

2 Q. Did you review any documents to prepare to
3 testify on topic 17?

4 A. No.

5 Q. Did you discuss with Mr. Olomo,
6 Ms. Williams and the county attorney topic 17 in an
7 effort to prepare to testify on it today?

8 A. No -- yes, I mean yes. Sorry. Yes, I did.

9 Q. And those were in the two sessions that we
10 have talked about throughout today's testimony?

11 A. Yes, it is, yes.

12 Q. Are you relying on any other sources of
13 information for your testimony about topic 17?

14 A. No.

15 Q. What changes to software on ballot-marking
16 devices in Georgia as used in Fulton County have
17 occurred since September 1st, 2020?

18 A. As I said earlier, we had updates from
19 software, firmware on the ballot-marking devices
20 which was a statewide update, whereas Dominion did an
21 update to those ballot-marking devices. That's the
22 only update that we had on the current election
23 system.

24 Q. What about any other component of the
25 system which you're aware, including printers,

1 scanners, any election servers used by Fulton County,
2 have there been any changes to the software on those
3 devices since September 1st, 2020?

4 A. No, none that I'm aware of.

5 Q. What about to the firmware of any of those
6 components, have there been any changes to that on
7 these components or any of them since September 1st,
8 2020?

9 A. No, not that I'm aware of.

10 Q. Does Fulton County have -- has Fulton
11 County communicated with the election systems
12 commission about the certification of any of these
13 components of the election system?

14 A. Can you state -- can you restate that
15 question again?

16 Q. Yes. I think I should.

17 Has Fulton County talked to the election
18 assistance commission at any point about software or
19 firmware changes to any of the components of Georgia
20 election system as used in Fulton County?

21 A. No, nothing that I'm aware of.

22 Q. So Fulton County would not have information
23 about election assistance commission certification of
24 any software or firmware changes to any component of
25 Georgia's election system since September 1st, 2020?

1 A. No, I don't have any knowledge of that.

2 Q. Okay. Is there any reason that your
3 knowledge would diverge from that of Fulton County
4 for purpose of today's testimony?

5 A. No.

6 Q. I'm going to scroll all the way back to
7 topic 4. Topic 4 reads, Any execution or operational
8 issues or challenges with Georgia's current Election
9 System involving any Fulton County 2020 or 2021
10 elections, any solutions or other measures
11 implemented, planned, or contemplated to resolve or
12 mediate, mitigate or otherwise address any such
13 issues or challenges and the success or failure of
14 any such efforts. Did I read that correctly?

15 A. Yes, you did.

16 Q. And do you understand yourself to be
17 designated to testify about topic 4 on behalf of
18 Fulton County today?

19 A. Yes.

20 Q. I'm sorry, was that a, yes?

21 A. Yes. Yes.

22 Q. Now, Mr. Gilstrap, what research, if any,
23 did you do to prepare for your testimony about topic
24 4 today?

25 A. None.

1 Q. Did you review any documents to prepare to
2 testify about topic 4?

3 A. No.

4 Q. With whom did you talk to about topic 4 to
5 prepare for this deposition?

6 A. Mr. Olomo, Ms. Williams and the county
7 attorney.

8 Q. Were those in the two sessions that we have
9 talked about throughout today's deposition?

10 A. Yes.

11 Q. Did you talk to anyone else to prepare to
12 testify about topic 4?

13 A. No.

14 Q. And are you relying on any other sources
15 for your testimony about topic 4?

16 A. No.

17 Q. So let's talk a little bit about the 2020
18 primary. Were there any unprecedented challenges
19 with running the election, the primary election in
20 June of 2020?

21 A. Are you -- are you talking about involving
22 the election system or --

23 Q. Well, I'm talking about execution or
24 operational issues or challenges with the system
25 involving any elections over 2020 and 2021. And so

1 I'm offering you an invitation to point out any
2 particular issues or challenges that might have
3 popped up for the primary in 2020 that maybe Fulton
4 County had not faced.

5 A. I mean, no execution or operational issues
6 I'm aware of. Now, as far as planning through the
7 pandemic, that provided a challenge for us as far as
8 the primary election in 2020.

9 MR. SPARKS: Can we go off the record for a
10 moment?

11 THE VIDEOGRAPHER: The time is 4:23 p.m.
12 We are off the record.

13 (WHEREUPON, a recess was taken.).

14 THE VIDEOGRAPHER: The time is 4:33 p.m.
15 We are on the record.

16 Q. (By Mr. Sparks) Mr. Gilstrap, I want to
17 clarify something with regards to topic 4. I
18 understand that you are prepared to testify to topic
19 4 with the proviso that it includes the operation of
20 the Georgia election system as we have been
21 discussing today, which is somewhat -- which is a bit
22 more cabined than might be useful really. So we are
23 talking about, you know, the EMS server and marking
24 devices and optical scanners and poll pads and things
25 of that nature, but that things that may have caused

1 a challenge for certain elections in 2020, such as
2 absentee ballot applications, are -- and their
3 downstream effects are not something about which you
4 are prepared to testify for Fulton County today. So
5 with that understanding, unless you understand
6 differently from me, we will proceed with discussion
7 about that constrained topic 4, and it may be that
8 Fulton County needs to designate an additional
9 witness for portions of topic 4 outside those
10 systems.

11 A. Okay.

12 MR. SPARKS: I wanted to make sure any
13 testimony we got was actually on behalf of
14 Fulton County is all. So it was worth the
15 clarification.

16 All right. So going back to topic 4 and I
17 have got an exhibit I want to show you but I
18 have to find it.

19 (Exhibit 5, E-mail string to Watson from
20 Harvey, 6/9/2020, Bates stamped
21 State-Defendants-00108790 - 00108791, marked for
22 identification.)

23 Q. (By Mr. Sparks) All right. I have just
24 added what's been marked as Exhibit 5 to your marked
25 exhibits folder, Mr. Gilstrap. I'll do my best to

1 put it up on the screen as well. All right. And
2 here's Exhibit 5. It's about three pages consisting
3 of an e-mail thread from June 9th, 2020, if you want
4 to take a moment and review it.

5 A. Okay. I reviewed it.

6 Q. Okay. Do you know what election protection
7 is?

8 A. No, I don't know exactly -- no, I don't
9 know. I don't know.

10 Q. Sure. I'll represent to you that it's a
11 nonpartisan organization that often acts to assist
12 voters during elections, ensuring that registered
13 voters eligible to vote are able to get their ballots
14 cast. So this is an e-mail sent in to Fulton County
15 and Secretary of State personnel on June 9th,
16 regarding problems they reported this morning and
17 there's a number of problems further down the list
18 that were recorded. You can see right here at the
19 8:20 a.m. e-mail towards the bottom of the Page 2 of
20 the exhibit, about Thicket Elementary, 11 C, has
21 extremely long lines, was reported did not open
22 either. Do you see that?

23 A. Yes, I do.

24 Q. Sure. And then down on Page 3, there's
25 some additional precincts about which election

1 protection, this author of the e-mail, claims to have
2 received concerning, quote, locations are not open
3 and that there were no machines and voters are not
4 being given paper ballots at a couple of the
5 additional locations. Do you see that as well?

6 A. Yes, I do.

7 Q. Right. So is it fair to describe some of
8 the problems with precinct openings and the
9 unavailability of emergency paper ballots on June 9th
10 as execution or operational issues or challenges for
11 Georgia's election system?

12 A. Yes, from these e-mails, yes.

13 Q. And how did Fulton County go about
14 attempting to resolve these problems and any others
15 like them in the June 2020 primary?

16 A. If it was a technical issue, then -- and if
17 it was reported to the -- to the election preparation
18 center, we would contact the poll manager and make
19 sure that -- that the equipment is working correctly.
20 I know I'm looking at some of these things as they
21 are logistics, which I am not over logistics, in
22 regards to making sure that the -- I'm not over the
23 delivery of the equipment. I'm not over as far as
24 paper ballots are at the location on election day.
25 So I couldn't -- I couldn't respond to these at the

1 time.

2 Q. Okay.

3 A. This is the first time I saw these e-mails.

4 Q. Well, I understand this may be the first
5 time you have seen some of these e-mails. Is it the
6 first time you have been made aware of these problems
7 from the June 2020 primary?

8 A. I know I was aware of the -- the long lines
9 and precincts not opening. I'm not -- I was not
10 aware of which precincts right offhand. If I was
11 called with a -- if a -- situation where the -- where
12 they were having problems with the equipment, then my
13 staff would troubleshoot, and if we couldn't handle
14 it over the phone, then we could go to a particular
15 polling place and make sure all the voting equipment
16 was working properly and the poll is up and running.

17 Q. When you say "we," do you mean Fulton
18 County election employees --

19 A. Yes.

20 Q. -- or --

21 A. I mean Fulton County election technicians.

22 Q. Election technicians. And these are
23 distinct from Dominion or KNOWiNK technicians that we
24 have talked about earlier?

25 A. Yes. Now, if it was a KNOWiNK situation

1 with a poll pad, we did have KNOWiNK technicians on
2 hand that went out to those locations that had poll
3 pad issues. Other than that, it was mainly -- well,
4 for this election, we did have Dominion techs that
5 also went out when we had issues with equipment.
6 This was the primary.

7 Q. Yes. What kind of issues? Go ahead.

8 A. We have issues with -- we have issues with
9 BMD or a scanner, if we had those issues, and we had
10 a Dominion tech in the warehouse on election day,
11 we -- we -- we would have sent them to that site,
12 including with our own techs from Fulton County.
13 Mainly, the techs, they work with logic and accuracy
14 testing.

15 Q. Sure. Of course, this is happening after
16 the logic and accuracy testing and once the election
17 is running, correct?

18 A. Correct.

19 Q. Okay. There should be an Exhibit 6 in your
20 marked exhibits file now, Mr. Gilstrap. You may want
21 to refresh and pull it up. I'll also put it up on
22 the screen.

23 (Exhibit 6, E-mail string to Germany and
24 other from Houk, 8/11/2020, Bates stamped
25 State-Defendants-00110732 - 00110734, marked for

1 identification.)

2 Q. (By Mr. Sparks) And this is another
3 three-page e-mail just to read. My question concerns
4 the e-mail starting on Page 2.

5 A. Okay. I read it.

6 Q. Yes. So on Page 2, Attorney Houk, who you
7 can see in the first paragraph of this e-mail to
8 Mr. Germany and Mr. Harvey. First paragraph talks
9 about the lawyers committee convening the national
10 election protection program. The second paragraph
11 concerns voting machines, poll pad issues in Floyd,
12 Chatham, Fulton and Gwinnett Counties. Quote, Some
13 of the reports indicate a problem with "decoders"
14 that are preventing the printing of ballot access
15 cards or other machine-related issues. And you can
16 see that the date of this e-mail is August 11, 2020,
17 correct?

18 A. Correct.

19 Q. So this was the primary runoff in 2020,
20 right?

21 A. Yes.

22 Q. Okay. Can you tell me anything more about
23 this asserted problem with poll pad issues in Fulton
24 County concerning decoders?

25 A. With poll pad issues concerning decoders,

1 this was -- it was not a major issue. I know with
2 those decoders, they have -- any pull or tug to the
3 cord can easily pull it out of the poll pad. Once
4 it's reinserted and established again, it works -- it
5 works just fine. From my recollection of the issue,
6 it was a very minor issue. We was able to -- to let
7 the poll manager know to make sure the -- that
8 nothing is pulling the cord from the decoders and,
9 also, make sure that they're all the way pushed in
10 and connected properly and so once you put in the
11 voter access card, it will be able to work. It will
12 create the card. I cannot recollect if we had -- we
13 had to send a KNOWiNK tech out to any of these sites,
14 but from my recollection, it wasn't a major issue in
15 our county.

16 Q. And who was first up to deal with problems
17 like this with the poll pads as they were reported?
18 Was that Fulton County? Was that KNOWiNK? Was that
19 the Secretary of State's Office, or was it someone
20 else or a combination of these?

21 A. Well, you'd see, like I had said before,
22 usually they have a dashboard, the Secretary of State
23 and KNOWiNK, so even before we find out that a
24 situation is being -- it's been reported, they know.
25 They alert KNOWiNK, the Secretary of State does, and

1 then KNOWiNK alerts the technician in that county.
2 Once he's there alerting the county, they sometimes
3 contact the poll manager if you haven't already found
4 out about the situation, they contact them. They
5 contact the poll manager and if there's a serious
6 problem that they cannot handle on the phone, they go
7 out to the site and the problem.

8 Q. So sometimes even when it's the county
9 technician or the poll manager that addresses the
10 problem on the ground, the first notice of the
11 problem and/or what to do about it will actually come
12 from the vendor or the Secretary of State's Office?

13 A. Yes. There's the dashboard that is -- that
14 is around election day that the county do not have
15 privilege of seeing, that -- of all the polling
16 places that basically KNOWiNK provides poll pads to,
17 and if it's a poll pad issue, it can definitely be
18 notified before we find out about it.

19 Q. When you say the dashboard, is that
20 something set up by KNOWiNK?

21 A better question might be is the dashboard
22 setup to or accessible by Fulton County?

23 A. No. We wish we could access the dashboard
24 but we are not able to.

25 Q. Is that still true today?

1 A. That is true through today.

2 Q. So for the next upcoming election in 2022,
3 Fulton County won't have access to a dashboard like
4 that?

5 A. As of the present time, we do not have
6 access to those dashboards.

7 Q. Have problems like this one that's
8 described with the decoder, have they occurred since
9 the August 11th election in 2020?

10 A. Yes, they have.

11 Q. Can you tell me how often and generally
12 whether that's frequent or occasional or almost never
13 or always?

14 A. I would say occasional.

15 Q. Occasional?

16 A. Uh-huh.

17 MR. SPARKS: Take that down. All right.

18 Now I just added what's been marked as Exhibit 7
19 to your marked exhibits file as well,
20 Mr. Gilstrap. I'll try to pull it up here.

21 (Exhibit 7, E-mail string to Brower and
22 others from Cummings, 10/22/2020, Bates stamped
23 State-Defendants-00169113 - 00169114, marked for
24 identification.)

25 Q. (By Mr. Sparks) All right. This is a

1 two-page e-mail thread. If you could let me know
2 when you have reviewed it.

3 A. Okay. I read it.

4 Q. Okay. Do you recognize this e-mail,
5 Mr. Gilstrap?

6 A. Yes, I do.

7 Q. And that's your e-mail address on some, but
8 not all, of the e-mails in the thread, correct?

9 A. Correct.

10 Q. Okay. And so you see that this e-mail
11 thread is about a ballot that printed with two QR
12 codes on it?

13 A. Yes.

14 Q. Now, had you heard of that issue prior to
15 receiving this e-mail in October of 2020?

16 A. No, I hadn't heard of that issue prior to
17 receiving -- I received the call from the election
18 site in the early voting election site. And that was
19 the first that I heard of the double QR code. At
20 that present time, I reached out to the Secretary of
21 State and the Center of Election Systems about the
22 issue. They said they were going to call me back,
23 but they never did. I then reached out to the
24 election chief at that time, Mr. Dwight Brower, and
25 let him know the situation. And also, Ms. Benjamin,

1 who was my -- who was the supervisor at the time, and
2 also she was over early voting, she's over early
3 voting. And told them I'm waiting on the Secretary
4 of State to get back with me with the resolution to
5 the situation. Once I didn't get a resolution,
6 that's when I contacted the poll manager for that
7 early voting site and let them know what was
8 happening. And that's when, the next day, they
9 e-mailed Mr. Brower to try to find out because the
10 voter -- the voter was waiting on a response. And
11 that's when Mr. Brower e-mailed Michael Barnes who is
12 the director of the center of election systems and
13 from the e-mail, he reached out to Dominion and
14 that's where he got the response there in this
15 e-mail.

16 Q. Yes, I see Mr. Barnes's response here
17 regarding what Dominion has told us, that when a
18 voter enters a number of write-in selections, the BMD
19 will produce a second QR code, and then he suspects
20 that might be why this ballot held two. Do you see
21 that?

22 A. Yes, uh-huh.

23 Q. And then Mr. Brower and Mr. Cummings each
24 respond, Well, what about L&A? Shouldn't this be
25 duplicated in L&A? And Mr. Collins said we have had

1 it happen at least once during L&A. So that means
2 that wouldn't just be a one-off issue if it had
3 happened before, correct?

4 A. Well, at the present time, I didn't -- I
5 had no -- I was not notified that it did happen at
6 L&A. And I was not in that conversation about the
7 double QR code. So I did not -- did not see it in
8 L&A. Mr. Cummings said he had discussed it with
9 Dominic. So from his -- from the e-mail, this
10 e-mail, it did happen at least once during L&A.

11 Q. So it follows that L&A didn't necessarily
12 prevent this incident from occurring. If it happened
13 once then but also happened again during advanced
14 voting, correct?

15 A. Yes.

16 Q. Has Fulton County sought to alter or change
17 its L&A procedures in any way as a result of this
18 incident?

19 A. No. No, we still go by the procedures that
20 are -- that are the policies and procedures of the
21 State of Georgia and the Secretary of State's Office.
22 If a situation like this comes about, we take it to
23 the Secretary of State or if any type of irregular
24 situation. I know once I -- once I found out about
25 it, that's exactly where I go with the situation. I

1 ask them, do they know anything about it and what's
2 the resolution to this situation?

3 Q. So straight to the Secretary of State then?

4 A. Yes.

5 MR. SPARKS: Could we go off the record for
6 a moment, please.

7 THE VIDEOGRAPHER: The time is 5:03 p.m.
8 We are off the record.

9 (WHEREUPON, a recess was taken.).

10 THE VIDEOGRAPHER: The time is 5:13 p.m.
11 We are on the record.

12 Q. (By Mr. Sparks) Thank you for bearing with
13 us, Mr. Gilstrap, just a couple more questions. And
14 these actually concern logic and accuracy testing. I
15 wanted to ask if Fulton County, in elections for 2020
16 and 2021, aside from the double QR code incident
17 reflected in Exhibit 7 that we just read, aside from
18 that one, has Fulton County found errors during logic
19 and accuracy testing in elections in either of the
20 preceding two years?

21 A. No other incidents that I can think of;
22 that was the only one.

23 Q. Okay. So when I say "errors," to be clear,
24 I don't just mean significant errors. Like, I don't
25 know, an BMD catch on fire or something. That would

1 be a significant error. I also mean fairly minor
2 ones that could be corrected with fairly minimal
3 effort. Is it Fulton's position that there's been no
4 errors caught in logic and accuracy testing aside
5 from that one in the past two years?

6 A. Nothing I can think of at this time. Only
7 other -- I'm not sure if it's an error, but as far as
8 if you have a registration -- if you have a
9 registration issue in an election that -- involving a
10 precinct, then it's -- it's a possibility that it
11 could show up in L&A in regards to our tabulated and
12 uploading to the server for L&A.

13 At this case, in that situation, the
14 election probably cannot be changed. So we would
15 have to -- basically what happens is that the
16 voter -- the voter registration would be changed in
17 regards to the poll pad in order to work for that
18 election.

19 Q. And how would that error relay to you and
20 present itself in logic and accuracy testing?

21 A. For instance, if we have a polling place
22 change, a last-minute polling place change, whereby
23 polling places are combined, then when the center of
24 elections is created, the project -- that revision
25 may have not been updated yet in ElectionNet. So when

1 that happens, either two things that we can do. We
2 can -- basically what we usually do is the voters
3 would all be assigned to one precinct, the precinct
4 that's already in the election project. Other than
5 that, I haven't really experienced, but that -- that
6 also happened before we got the new system. That was
7 an L&A circumstance that happened with the previous
8 system as well.

9 Q. When you say "the previous system," you
10 mean what someone called the DRE GEMS system?

11 A. GEMS system.

12 Q. Do you remember about when that was, what
13 year maybe?

14 A. No, I don't -- I mean -- I mean, it was
15 something that we -- we had to take occasionally.

16 MR. SPARKS: Mr. Gilstrap, I think I'm done
17 with you for today.

18 THE WITNESS: Okay.

19 THE VIDEOGRAPHER: This concludes the
20 deposition. The time is 5:19 p.m. and we are
21 off the record.

22 (WHEREUPON, there was a discussion off the
23 record.)

24 THE VIDEOGRAPHER: The time is 5:23 p.m.
25 We are on the record.

1 MR. SPARKS: Welcome back to the record,
2 everyone. At this time, Curling Plaintiffs are
3 going to suspend the Rule 30(b)(6) deposition of
4 Fulton County defendants to resume on Monday,
5 January 31st. It's Curling Plaintiffs' position
6 that the testifying witnesses, though generous
7 with their time, were unprepared on, at minimum,
8 portions of certain topics for which they were
9 designated. Counsel also understands that
10 certain portions of those topics will need to be
11 redesignated to various deponents. So without
12 relinquishing its right to examine any of the
13 designated deponents for time remaining as
14 permitted under the Federal Rules of Civil
15 Procedure, Curling Plaintiffs are going to
16 suspend the deposition at this time and
17 correspondence will follow concerning the
18 particulars of its concerns as stated today. So
19 with that, I want to thank the court reporter,
20 the videographer, counsel, witnesses and
21 everyone here for your patience and your
22 participation today. Thank you for your work.

23 MS. RINGER: I just wanted to add one
24 thing. So to the extent that we may need some
25 clarification on behalf of Fulton County

1 defendants with respect to terminology -- I
2 think that was one issue that we had with the
3 designation -- then we will follow up and make
4 sure we are clear before the 31st.

5 MR. SPARKS: Understood.

6 MS. RINGER: Okay. Thank you.

7 MR. SPARKS: All right. Thank you all.

8 THE VIDEOGRAPHER: This suspends the
9 deposition. The time is 5:25 p.m. and we are
10 now off the video record.

11 (Whereupon, the proceedings were concluded
12 at 5:29 p.m.)
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C E R T I F I C A T E

STATE OF GEORGIA)

) ss.:

FULTON COUNTY)

I, Robin Ferrill, Certified Court Reporter
within the State of Georgia, do hereby certify:

That Derrick Gilstrap, the witness whose
deposition is hereinbefore set forth, was duly sworn
by me and that such deposition is a true record of
the testimony given by such witness.

I further certify that I am not related to
any of the parties to this action by blood or
marriage; and that I am in no way interested in the
outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set
my hand this 9th day of February, 2022.



ROBIN K. FERRILL, RPR

1 To: Ms. Ringer

Re: Signature of Deponent Derrick Gilstrap

2 Date Errata due back at our offices:

3 Greetings:

4 This deposition has been requested for read and sign
by the deponent. It is the deponent's responsibility
to review the transcript, noting any changes or
5 corrections on the attached PDF Errata. The deponent
may fill out the Errata electronically or print and
6 fill out manually.

7 Once the Errata is signed by the deponent and
notarized, please mail it to the offices of Veritext
8 (below).

9 When the signed Errata is returned to us, we will
seal and forward to the taking attorney to file with
10 the original transcript. We will also send copies of
the Errata to all ordering parties.

11
12 If the signed Errata is not returned within the time
above, the original transcript may be filed with the
court without the signature of the deponent.

13
14 Please send completed Errata to:

15 VeritextProduction Facility

16 20 Mansell Court

17 Suite 300

18 Roswell, GA 30076

19 (770) 343-9696

20
21
22
23
24 ERRATA for ASSIGNMENT # 5043361

25

1 ERRATA for ASSIGNMENT # 5043361

2 I, the undersigned, do hereby certify that I have
3 read the transcript of my testimony, and that

4 ___ There are no changes noted.

5 ___ The following changes are noted:

6
7 Pursuant to Rule 30(7)(e) of the Federal Rules of
8 Civil Procedure and/or OCGA 9-11-30(e), any changes
9 in form or substance which you desire to make to your
10 testimony shall be entered upon the deposition with a
11 statement of the reasons given for making them. To
12 assist you in making any such corrections, please use
13 the form below. If additional pages are necessary,
14 please furnish same and attach.

11 Page _____ Line _____ Change _____

12
13 Reason for change _____

14 Page _____ Line _____ Change _____

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16 Page _____ Line _____ Change _____

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18 Reason for change _____

19 Page _____ Line _____ Change _____

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23 Reason for change _____

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15 Reason for change _____

16 Page _____ Line _____ Change _____

17 _____

18 _____

19 _____

20 _____
DERRICK GILSTRAP

21 Sworn to and subscribed before me this ____ day of

22 _____, _____.

23 _____

24 NOTARY PUBLIC

24

25 My Commission Expires: _____